

# **Columbus City Bulletin**



**Bulletin #50  
December 16, 2023**

# Proceedings of City Council

Saturday, December 16, 2023



## SIGNING OF LEGISLATION

Legislation was signed by Council President Shannon G. Hardin on the night of the Council meeting, *Monday, December 11, 2023*; by Mayor Andrew J. Ginther on *Wednesday December 13, 2023*; and attested by Acting City Clerk Toya J. Johnson on *Thursday December 14, 2023* 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

Monday, December 11, 2023

5:00 PM

City Council Chambers, Rm 231

### REGULAR MEETING NO. 62 OF COLUMBUS CITY COUNCIL, DECEMBER 11, 2023 at 5:00 P.M. IN COUNCIL CHAMBERS.

#### ROLL CALL

**Present:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### READING AND DISPOSAL OF THE JOURNAL

A motion was made by Emmanuel V. Remy, seconded by Rob Dorans, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### ADDITIONS OR CORRECTIONS TO THE JOURNAL

#### COMMUNICATIONS AND REPORTS RECEIVED BY CITY CLERK'S OFFICE

- 1 [C0033-2023](#) THE FOLLOWING COMMUNICATIONS WERE RECEIVED BY THE CITY CLERK'S OFFICE AS OF WEDNESDAY DECEMBER 6, 2023

Transfer Type: D1 D3 D6  
To: DEL RIO GRANDE II LLC  
1025 POLARIS PKWY  
COLUMBUS, OH 43240  
From: BLUE SANTA POLARIS LLC  
1025 POLARIS PKWY  
COLUMBUS, OH 43240  
Permit #: 2022469

New: D1  
To: FUKURYU FOODS INC  
748 HARMON AVE  
COLUMBUS, OH 43223  
Permit #: 2950748

New: D3  
To: TIOS DINER LLC  
DBA TIOS DINER  
1881 S HIGH ST & PATIO  
COLUMBUS, OH 43207  
Permit #: 8940986

Transfer Type: D1 D2  
To: TIOS DINER LLC  
DBA TIOS DINER  
1881 S HIGH ST & PATIO  
COLUMBUS, OH 43207  
From: HARIOUM FOODS INC  
1881 S HIGH ST & PATIO  
COLUMBUS, OH 43207  
Permit #: 8940986

Transfer Type: D1 D2 D3  
To: WIENERS OH HIGH LLC  
2036 N HIGH ST  
COLUMBUS, OH 43201  
From: CHIA LE NAILS CORP  
DBA LOVELY NAIL SPA  
1746 HILLIARD ROME RD  
COLUMBUS OH 43026  
Permit #: 9610125

New: D1  
To: RENEEES BAR AND GRILL LLC  
& PATIO  
1521 FREBIS AVE  
COLUMBUS, OH 43206  
Permit #: 7297920

Transfer Type: D1 D2  
To: OM KEDAR LLC  
DBA MASSEYS PIZZA BEEHCROFT  
1951 E DUBLIN GRANVILLE RD  
COLUMBUS, OH 43229  
From: IAMAR LLC  
DBA MASSEYS PIZZA BEEHCROFT  
1951 E DUBLIN GRANVILLE RD  
COLUMBUS, OH 43229

Permit #: 6547107

New: D3A  
To: SATURNS SPORTS BAR LLC  
DBA SATURNS SPORTS BAR  
1288 N HIGH ST 1ST FL  
COLUMBUS, OH 43201  
Permit #: 77586700005

Transfer Type: D1 D2 D3 D3A D6  
To: AKSHAR LAXMI 1870 LLC  
1416 W FIFTH AVE & PATIO  
COLUMBUS, OH 43212  
From: BCBUS LLC  
1416 W FIFTH AVE & PATIO  
COLUMBUS, OH 43212  
Permit #: 00840070005

Transfer Type: D5 D6  
To: LAUGH OUT LOUD LOUNGE & GRILLE LLC  
& PATIO  
1435-39 S HAMILTON RD  
COLUMBUS, OH 43227  
From: BON AIRE INC  
& PATIO  
1435-39 S HAMILTON RD  
COLUMBUS, OH 43227  
Permit #: 5051156

Advertise Date: 12/16/23  
Agenda Date: 12/11/23  
Return Date: 12/21/23

Read and Filed

## RESOLUTIONS OF EXPRESSION

### FROM THE FLOOR

#### BARROSO DE PADILLA

LA [0248X-2023](#) To recognize and honor The Columbus Crew on winning their third MLS Cup

WHEREAS, Columbus Crew is one of the initial teams in the league's first season in 1996 and has won six major titles including the MLS title in 2008 and 2020 and,

WHEREAS, The Columbus Crew has shown that it has a larger number of supporters, including saving the Crew from relocating in 2018 and,

WHEREAS, The Major League Soccer title win against Los Angeles FC, marked the first finals game that the Columbus Crew hosted at the new Lowe.com stadium and,

WHEREAS, With a win of 2 - 1 over the Los Angeles FC, this make two MLS Cups in three years;

WHEREAS, The Columbus Crew is vital to the economic and cultural fabric of our city;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS :  
Recognize and honor The Columbus Crew on winning their third MLS Cup and becoming MLS Champions once again.

**Sponsors:** Lourdes Barroso De Padilla, Nicholas Bankston, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel V. Remy and Shannon G. Hardin

**A motion was made by Lourdes Barroso De Padilla, seconded by Mitchell Brown, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## RESOLUTIONS OF EXPRESSION

### BROWN

- 2      [0246X-2023](#)      To recognize and celebrate Columbus Recreation and Parks Department's Accreditation from The National Park and Recreation Association's (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA).

**Sponsors:** Mitchell Brown, Nicholas Bankston, Lourdes Barroso De Padilla, Rob Dorans, Shayla Favor, Emmanuel V. Remy and Shannon G. Hardin

**A motion was made by Mitchell Brown, seconded by Rob Dorans, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**DORANS**

3 [0243X-2023](#) To Celebrate the Second Year Anniversary of Opportunity Port

**Sponsors:** Rob Dorans, Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Shayla Favor, Emmanuel V. Remy and Shannon G. Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**FROM THE FLOOR**

LA [0247X-2023](#) To Recognize and Celebrate Ken Paul and his Contribution to the City of Columbus.

**Sponsors:** Rob Dorans, Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Shayla Favor, Emmanuel V. Remy and Shannon G. Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RESOLUTIONS OF EXPRESSION**

**FAVOR**

4 [0242X-2023](#) To Celebrate the Work of Shellee Fisher and Recognize her Contributions to the City of Columbus

**Sponsors:** Shayla Favor, Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Emmanuel V. Remy and Shannon G. Hardin

**A motion was made by Shayla Favor, seconded by Nicholas Bankston, that this Resolution be Adopted. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Emmanuel V. Remy, seconded by Rob Dorans, to Motion to Recess the Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin



**RECESSED AT 6:14 PM**

**A motion was made by Emmanuel V. Remy, seconded by Nicholas Bankston, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RECONVENED AT 7:55 PM**

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

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

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to waive the reading of the titles of first reading legislation. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**ECONOMIC DEVELOPMENT: BANKSTON, CHR. REMY DORANS HARDIN**

**FR-1** [3307-2023](#) To accept the application (AN23-016) of Francisco Anaya, Anaya Communities, LLC for the annexation of certain territory containing 22.7± acres in Prairie Township.

**Read for the First Time**

**FR-2** [3309-2023](#) To accept the application (AN23-019) of Paul D. Adkins for the annexation of certain territory containing 1.463± acres in Madison Township.

**Read for the First Time**

**FR-3** [3310-2023](#) To accept the application (AN23-020) of Robert & Judy Johnson and William & Angela Lutz for the annexation of certain territory containing 9.504± acres in Madison Township.

**Read for the First Time**

**PUBLIC SERVICE & TRANSPORTATION: BARROSO DE PADILLA, CHR. FAVOR BANKSTON HARDIN**

**FR-4** [3229-2023](#) To amend the 2023 Capital Improvement budget; to authorize and direct

the City Auditor to appropriate and transfer funds from the Special Income Tax Fund to the Streets and Highways Bond Fund; to appropriate funds within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into contract with Strawser Paving Company for the Resurfacing - 2023 Project 3; and to authorize the expenditure of up to \$12,355,308.50 from the Streets and Highways Bonds Fund for the project. (\$12,355,308.50)

**Read for the First Time**

- FR-5** [3480-2023](#) To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to the Ohio State University to legally allow a historic canopy/awning to remain within the public right-of-way along the south side of East 20th Avenue. (\$500.00)

**Read for the First Time**

#### **PUBLIC UTILITIES: DORANS, CHR. BANKSTON REMY HARDIN**

- FR-6** [2476-2023](#) To authorize the Director of the Department of Public Utilities to enter into a grant agreement with the Mid-Ohio Regional Planning Commission to provide funding and support for the 2023 Water Resources Program; to authorize the expenditure of \$60,000.00 split among the Sanitary Sewer, Water, and Stormwater Operating Funds; and to authorize the City Auditor to transfer funds between object classes within each of those funds to support this expense. (\$60,000.00)

**Read for the First Time**

- FR-7** [3314-2023](#) To authorize the Director of Public Utilities to enter into a contract with CDM Smith Inc. for the Stormwater and Sanitary Remote Site Communication Network Upgrades projects; to authorize an amendment to the 2023 Capital Improvements Budget; to authorize a transfer of cash and appropriation within the Stormwater Bond Fund and within the Sanitary Bond Fund; and to authorize the expenditure of up to \$97,757.00 from the Stormwater Bond Fund and the expenditure of up to \$320,881.00 from the Sanitary Bond Fund to pay for the project. (\$418,638.00)

**Read for the First Time**

- FR-8** [3330-2023](#) To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the Short Circuit Coordination and Arc Flash Studies #1 project; to authorize an amendment to the 2023 Capital Improvement Budget; and to authorize an expenditure of up to \$350,000.00 from the Sanitary Bond Fund to pay for the contract modification. (\$350,000.00)

**Read for the First Time**

- FR-9** [3335-2023](#) To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the SWWTP Power System Upgrade and Safety Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of up to \$720,000.00 within the Sanitary Bond Fund to pay for the contract modification. (\$720,000.00)

**Read for the First Time**

- FR-10** [3347-2023](#) To authorize the Director of the Department of Public Utilities to enter into a construction contract with Danbert Electrical Corporation for the Noe-Bixby Road Street Lighting Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Electricity Bond Fund; and to authorize the expenditure of up to \$422,179.32 for the project. (\$422,179.32)

**Read for the First Time**

- FR-11** [3348-2023](#) To authorize the Director of the Department of Public Utilities to modify and increase the contract with Korda/Nemeth Engineering, Inc. for the Department of Public Utilities Archive and Records Storage project; and to authorize an expenditure of up to \$360,232.52 within the Sanitary Bond Fund to pay for the contract modification. (\$360,232.52)

**Read for the First Time**

- FR-12** [3492-2023](#) To authorize the Director of Public Utilities to modify the existing water service contract and sewer service contract with Franklin County, Ohio, for the provision of water and sewer service to certain properties within Perry Township in order to adjust the boundaries of the service areas under those agreements to align with the adjusted boundaries of the existing annexation agreement between the City and Perry Township. (\$0.00)

**Read for the First Time****HOUSING: FAVOR, CHR. BROWN BANKSTON HARDIN**

- FR-13** [3377-2023](#) To amend the 2023 Capital Improvement Budget; to authorize the City Auditor to appropriate and transfer funds from the Special Income Tax Fund to the Affordable Housing Bond Fund; to authorize the transfer of cash and appropriation within the Affordable Housing Bond Fund; and to authorize an expenditure in an amount up to \$4,000,000.00 from the Affordable Housing Bond Fund per the Housing Development

Agreement with Central Ohio Community Land Trust. (\$4,000,000.00)

**Read for the First Time**

- FR-14** [3438-2023](#) 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 (877 Miller Ave.) held in the Land Bank pursuant to the Land Reutilization Program.

**Read for the First Time**

**HEALTH & HUMAN SERVICES: FAVOR, CHR. BARROSO DE PADILLA  
BROWN HARDIN**

- FR-15** [3409-2023](#) To authorize the Director of Development to execute a grant agreement in an amount up to \$50,000.00 with Charitable Pharmacy of Central Ohio, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund. (\$50,000.00)

**Read for the First Time**

- FR-16** [3412-2023](#) To authorize the Director of Development to execute a grant agreement in an amount up to \$50,000.00 with Franklinton Farms, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund. (\$50,000.00)

**Read for the First Time**

- FR-17** [3414-2023](#) To authorize the Director of Development to execute a grant agreement in an amount up to \$50,000.00 with The Homeless Families Foundation, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund. (\$50,000.00)

**Read for the First Time**

- FR-18** [3415-2023](#) To authorize the Director of Development to execute a grant agreement

in an amount up to \$50,000.00 with Jordan Rieser Legacy Foundation, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the transfer and expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund budget. (\$50,000.00)

**Read for the First Time**

**FR-19** [3417-2023](#)

To authorize the Director of Development to enter into a grant agreement in an amount up to \$50,000.00 with Mount Carmel Health System Foundation, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the transfer and expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund budget. (\$50,000.00)

**Read for the First Time**

**FR-20** [3419-2023](#)

To authorize the Director of Development to enter into a grant agreement in an amount up to \$50,000.00 with The Ohio Newsboys' Association, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the transfer and expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund budget. (\$50,000.00)

**Read for the First Time**

**FR-21** [3424-2023](#)

To authorize the Director of Development to enter into a grant agreement in an amount up to \$50,000.00 with Service! Relief for Hospitality Workers, one of seven not-for-profit, social service agencies awarded funding, for the provision of human services programming for a 12 month period from January 1, 2024, to December 31, 2024, as part of the 2023 Flourish Grant; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the transfer and expenditure of up to \$50,000.00 from the Elevate 2.0 General Fund. (\$50,000.00)

**Read for the First Time**

**PUBLIC SAFETY: REMY, CHR. BARROSO DE PADILLA DORANS HARDIN**

**FR-22** [3363-2023](#) To authorize and direct the Finance and Management Director to return to Jessica Owens a police horse with the registered name of “Sam” which has no further value to the Division of Police, and to waive the provisions of City Code-Sale of City-owned personal property.

Read for the First Time

**FINANCE: HARDIN CHR. BANKSTON REMY BARROSO DE PADILLA**

**FR-23** [3468-2023](#) To authorize the Finance and Management Director to enter into a contract for the option to purchase Dump Trucks and Live Body Dump Trucks with Fyda Freightliner Columbus Inc. and to authorize the expenditure of \$1.00 from General Budget Reservation BRPO002253 (\$1.00).

Read for the First Time

**FR-24** [3471-2023](#) To authorize the Director of the Department of Finance and Management to enter into a Lease Agreement with the United States Postal Service for a portion of Franklin County Tax Parcel No. 010-017011.

Read for the First Time

**CA CONSENT ACTIONS**

**RESOLUTIONS OF EXPRESSION:**

**BANKSTON**

**CA-1** [0241X-2023](#) To Recognize and Celebrate the Grand Opening of Bakaro International Grocery

**Sponsors:** Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel V. Remy and Shannon G. Hardin

This item was approved on the Consent Agenda.

**ECONOMIC DEVELOPMENT: BANKSTON, CHR. REMY DORANS HARDIN**

**CA-2** [0217X-2023](#) To approve the expansion and define the boundaries of the new community district for the Big Darby West Broad Street New Community Authority by inclusion of tax parcel ID 470-318353 owned by Redwood Galloway Alton Darby Creek Road OH P1 LLC with the original territory; and to certify compliance of the requirements for the public hearing on the expansion.

This item was approved on the Consent Agenda.

- CA-3** [3244-2023](#) To establish the Hamilton Crossing NCA Fund; to authorize the City Auditor to accept the community development charges from the Hamilton Crossing Community Authority and to deposit such funds into the Hamilton Crossing NCA Fund; to appropriate and authorize the expenditure of the community development charges the City receives for deposit into the new Hamilton Crossing NCA Fund; and to authorize the Director of the Department of Development to enter into the Intergovernmental Cooperative Agreement and First Amendment to the Amended and Restated Tax Increment Financing & Reimbursement Agreement with Hamilton Crossing, LLC and the Hamilton Crossing Community Authority.

**This item was approved on the Consent Agenda.**

- CA-4** [3246-2023](#) To amend Ordinance 2117-2005, as previously amended by Ordinances 0715-2009, 2258-2014, 3123-2016, and 2791-2020 (collectively, the "TIF Ordinance") and to amend Ordinance 2791-2020, to include any parcel for which more than half of its territory is within the boundary of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs as set forth in either the TIF Ordinance or Ordinance 2791-2020 to now be wholly included within those respective TIFs and be eligible to be exempt pursuant to the TIF Ordinance or Ordinance 2791-2020; to declare the improvements on the additional territory to the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs parcels to be a public purpose and exempt from real property taxation; to require the owners of the improvements of those TIFs parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Columbus City School District, the New Albany Plain Local School District, and the Eastland-Fairfield Career & Technical Schools; and to deposit the remainder of those service payments into the applicable City TIF funds.

**This item was approved on the Consent Agenda.**

- CA-5** [3247-2023](#) To amend Ordinance No. 1447-2020, as amended by Ordinance No. 2563-2020, to add certain parcels of real property to the Rickenbacker-317 TIF; to declare the nonresidential improvements to those new TIF parcels added by this Ordinance to be a public purpose and 100% exempt from real property taxation for the same 30-year period as the existing parcels; to require the owners of those new parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the school district(s); and to deposit the remainder of those service payments in the Rickenbacker-317 TIF Fund for public infrastructure improvements.

**This item was approved on the Consent Agenda.**



- CA-6** [3311-2023](#) To authorize the Director of the Department of Public Service to file a municipal petition for the annexation of 1.075 acres within Plain Township as provided in Section 709.16 of the Ohio Revised Code and to provide for acceptance of the property by the City of Columbus upon approval of the petition by the Board of Franklin County Commissioners.  
**This item was approved on the Consent Agenda.**
- CA-7** [3367-2023](#) To create the Rocky Fork II TIF encompassing undeveloped infill parcels within the Rock Fork-Blacklick community of northeast Columbus; to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to require the owners of those parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Eastland-Fairfield Career & Technical Schools, Columbus City Schools, New Albany-Plain Local Schools, and Westerville City Schools; and to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those non-school service payments.  
**This item was approved on the Consent Agenda.**
- CA-8** [3369-2023](#) To appropriate and authorize the expenditure or transfer of the service payments in lieu of taxes generated by the parcels subject to the Old Dublin Road TIF deposited in the Old Dublin Road Public Improvement Tax Increment Equivalent Fund (that are not already pledged under agreements with the Columbus-Franklin County Finance Authority pursuant to Ordinance Nos. 1342-2020 and 0669-2021) pursuant to the Tax Increment Financing Agreement and Cooperative Agreement ("2023 Cooperative Agreement"); to authorize the Director of the Department of Development to execute and deliver the 2023 Cooperative Agreement by and among the City of Columbus, the Columbus-Franklin County Finance Authority, and Buckeye XO, LLC for the bond financing of certain public easements over and within Franklin County Auditor Tax Parcel ID No. 560-316947 (Buckeye Yard Phase 1 Reserve A); and to authorize the Director of the Department of Development or other appropriate officers of the City to deliver such other agreements and instruments, including but not limited to the public easements, and to take such other action necessary to secure the bonds.  
**This item was approved on the Consent Agenda.**
- CA-9** [3370-2023](#) To amend Ordinance No. 1237-2015, as previously amended by Ordinance No. 3168-2019, to remove and add certain parcels of real property to the Old Dublin Road TIF; to declare the nonresidential improvements to the 2023 additional parcels added herein to be a public purpose and exempt from real property taxation for a separate exemption period from the 2015 and 2019 Old Dublin Road parcels exemption periods; to require the owner(s) of the 2023 additional parcels



added herein to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the school districts; and to deposit the remainder of those service payments into the Old Dublin Road TIF Fund for public infrastructure improvements.

**This item was approved on the Consent Agenda.**

**CA-10** [3372-2023](#)

To authorize the Director of the Department of Development to execute an Assignment and Assumption of Rights, Duties, and Responsibilities of Developer to allow the City to assign and NM Developer LLC to assume the role of "Developer" of the NM Mixed-Use Project NCA under its petition dated October 28, 2022, Resolutions 0220X-2022 and 0134X-2022, and Ohio Revised Code Chapter 349; to reappoint the NCA's board of trustees as to who is a citizen member and who is a statutory developer member.

**This item was approved on the Consent Agenda.**

**CA-11** [3407-2023](#)

To amend Ordinance No. 2179-01, to extend the exemption period an additional thirty-years for improvements to certain parcels comprising the Morse Road TIF pursuant to Ohio Revised Code Section 5709.51; and to repeal and replace the authorized list of public infrastructure improvements attached as Exhibit B to Ordinance No. 2179-01.

**This item was approved on the Consent Agenda.**

**CA-12** [3408-2023](#)

To amend Ordinance No. 1786-00 to extend the exemption period an additional thirty-years for improvements to certain parcels comprising the Brewery District TIF pursuant to Ohio Revised Code Section 5709.51; and to repeal and replace the authorized list of public infrastructure improvements attached as Exhibit B to Ordinance No. 1786-00.

**This item was approved on the Consent Agenda.**

**SMALL & MINORITY BUSINESS: BANKSTON, CHR. REMY BARROSO DE PADILLA HARDIN**

**CA-13** [3529-2023](#)

To authorize the City Clerk to enter into a grant agreement with the We Elevate You Foundation in support of their spring mixer event; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$5,000.00)

**Sponsors:** Nicholas Bankston

**This item was approved on the Consent Agenda.**

**CA-14** [3530-2023](#)

To authorize the City Clerk to enter into a grant agreement with the Pyramid Community Development Corporation in support of a small business marketplace; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an

emergency. (\$10,000.00)

Sponsors: Nicholas Bankston

This item was approved on the Consent Agenda.

### **TECHNOLOGY: BANKSTON, CHR. DORANS BROWN HARDIN**

- CA-15** [3395-2023](#) To authorize the Director of the Department of Technology, on behalf of the Department of Public Utilities, to modify and extend existing agreements with CGI Technologies and Solutions, Inc., through the extension of purchase orders PO231970 and PO336928; to authorize the use of any remaining funds/unspent balance existing on purchase order PO231970 and PO336928; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

### **PUBLIC SERVICE & TRANSPORTATION: BARROSO DE PADILLA, CHR. FAVOR BANKSTON HARDIN**

- CA-16** [0223X-2023](#) To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate in order to complete the Westbourne Avenue Extension Project (Project No. 531037-100000). (\$0.00)

This item was approved on the Consent Agenda.

- CA-17** [1399-2023](#) To authorize the Director of the Department of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation relative to the FRA-270-1.52 project, PID 105498; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

- CA-18** [3095-2023](#) To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreements with and to provide funding to the Ohio Department of Transportation relative to the FRA-3-19.92 project, PID 106260; to authorize the expenditure of up to \$594,070.00 from the Streets and Highways Bond Fund to support the aforementioned project; and to declare an emergency. (\$594,070.00)

This item was approved on the Consent Agenda.

- CA-19** [3146-2023](#) To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a professional services contract with CHA Consulting, Inc. for the Roadway - Leonard Avenue Improvements under RR Bridge project; to authorize

the expenditure of up to \$400,000.00 from the Streets and Highways Bond Fund to pay for this project. (\$400,000.00)

**This item was approved on the Consent Agenda.**

**CA-20** [3169-2023](#)

To authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the City of Bexley; to, as necessary, authorize the acceptance of additional funds from the City of Bexley or to return any unused contributions to the same; to amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a professional services contract with OHM Advisors for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and to authorize the expenditure of up to \$600,000.00 from the Street and Highway Bond Fund to pay for this contract. (\$600,000.00)

**This item was approved on the Consent Agenda.**

**CA-21** [3175-2023](#)

To authorize the transfer of cash and the appropriation of funds within the Morse Road TIF Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Dynotec, Inc. for design of the Roadway Improvements - Sinclair Road Sidewalk project; to authorize the expenditure of up to \$20,000.00 to pay for this contract modification. (\$20,000.00)

**This item was approved on the Consent Agenda.**

**CA-22** [3181-2023](#)

To amend the 2023 Capital Improvement Budget; to transfer funds within the Streets and Highway Bonds Fund; to authorize the Director of Public Service to enter into a contract modification with 2LMN, Inc., in connection with the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and to authorize the expenditure of up to \$10,000.00 from the Streets and Highway Bonds Fund for the project. (\$10,000.00)

**This item was approved on the Consent Agenda.**

**CA-23** [3211-2023](#)

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Woolpert, Inc. in connection with the Roadway - North Knot-SR315 project; to authorize the expenditure of up to \$450,000.00 from the Streets and Highways Bond Fund for the project. (\$450,000.00)

**This item was approved on the Consent Agenda.**

**CA-24** [3460-2023](#)

To authorize the Finance and Management Director to modify past, present and future contracts and purchase orders from Paul Peterson Company to Peterson Highway Safety Inc. and to declare an emergency.

This item was approved on the Consent Agenda.

**NEIGHBORHOODS AND IMMIGRANT, REFUGEE, AND MIGRANT AFFAIRS:  
BARROSO DE PADILLA, CHR. DORANS REMY HARDIN**

- CA-25** [3037-2023](#) To authorize the Director of the Department of Neighborhoods to enter into a grant agreement with Hilltop Rise Economic Community Development Corporation to authorize the expenditure of \$115,000.00 from the Department of Neighborhoods General Fund 1000; and to declare an emergency. (\$115,000.00)
- This item was approved on the Consent Agenda.
- CA-26** [3396-2023](#) To authorize the Director of the Department of Neighborhoods to enter into grant agreement with Ours Brothers Keepers in a total amount of up to \$300,000.00 to provide in-school and after-school academic interventions; to authorize the expenditure of up to \$300,000.00 from the general fund; and to declare an emergency. (300,000.00)
- This item was approved on the Consent Agenda.
- CA-27** [3425-2023](#) To authorize the Director of Neighborhoods to enter into a contract with the Neighborhood Design Center for work associated with the implementation of the One Linden and Envision Hilltop community plans; to authorize the expenditure of \$150,000.00 from the General Fund; and to declare an emergency. (\$150,000.00)
- This item was approved on the Consent Agenda.
- CA-28** [3463-2023](#) To authorize the City Clerk to enter into a grant agreement with Choice Network, Inc. d/b/a/ JustChoice, Inc., in support of their JustChoice Fund; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$20,000.00)
- Sponsors:** Lourdes Barroso De Padilla
- This item was approved on the Consent Agenda.
- CA-29** [3497-2023](#) To authorize the City Clerk to enter into a grant agreement with the Reeb Avenue Center in support of operational needs at the Reeb Avenue facility; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$50,000.00)
- Sponsors:** Lourdes Barroso De Padilla and Rob Dorans
- This item was approved on the Consent Agenda.
- CA-30** [3512-2023](#) To authorize the City Clerk to enter into a grant agreement with the Columbus Kappa Foundation in support of the 14th Annual Turkey

Giveaway; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$7,500.00)

**This item was approved on the Consent Agenda.**

**CA-31** [3534-2023](#)

To authorize the City Clerk to enter into a grant agreement with 1DivineLine2Health in support of their Hilltop Drop-In Center; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$30,000.00)

**Sponsors:** Mitchell Brown

**This item was approved on the Consent Agenda.**

**CA-32** [3551-2023](#)

To authorize and direct the Director of the Department of Neighborhoods to accept a grant from and enter into a grant agreement with Franklin County Department of Job and Family Services in the amount of \$185,000.00 to help coordinate efforts for the My Brother's Keeper (MBK) program; to authorize the appropriation and expenditure of \$185,000.00 within the General Governments Grant Fund; to authorize grantees the authority to use funding for food and non-alcoholic beverages as it is integral to the success programming to ensure students have access to nutritional meals, and to declare an emergency. (\$185,000.00).

**This item was approved on the Consent Agenda.**

**CA-33** [3540-2023](#)

To authorize the Director of the Office of Diversity and Inclusion to enter into contract with Abbas Consulting for professional and consulting services to assist the City of Columbus in becoming a Certified Welcoming City; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$25,000.00)

**Sponsors:** Lourdes Barroso De Padilla and Emmanuel V. Remy

**This item was approved on the Consent Agenda.**

## **RECREATION & PARKS: BROWN, CHR. DORANS BANKSTON HARDIN**

**CA-34** [3112-2023](#)

To authorize the Director of the Recreation and Parks Department to enter into a Property Donation Agreement and to accept certain real estate from Metro Development II LLC, located at 6420 Hall Road in the City's Westland Area (PID 246-317168 and PID 246-317169); to dedicate the collective property as public parkland; and to name the parkland the Rowland S. Giller III Family Park. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-35** [3188-2023](#) To authorize the Director of the Recreation and Parks Department to enter into contract with Trane U.S. Inc. for the King Arts Complex Chiller Replacement Project; and to authorize the expenditure of \$160,500.00 from the Recreation and Parks Voted Bond Fund. (\$160,500.00)

**This item was approved on the Consent Agenda.**

**CA-36** [3190-2023](#) To authorize and direct the City Auditor to establish an auditor's certificate in the amount of \$250,000.00 for various expenditures for labor, materials, and equipment in conjunction with facility improvements within the Recreation and Parks Department; and to authorize the expenditure of \$250,000.00 from the Recreation and Parks Voted Bond Fund. (\$250,000.00)

**This item was approved on the Consent Agenda.**

**CA-37** [3191-2023](#) To authorize and direct the City Auditor to set up a certificate in the amount of \$100,000.00 for various expenditures for labor, material, and equipment in conjunction with the Recreation and Parks Department's golf course and facility improvements; to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$100,000.00 from the Recreation and Parks Voted Bond Fund. (\$100,000.00)

**This item was approved on the Consent Agenda.**

**CA-38** [3192-2023](#) To authorize and direct the City Auditor to establish an auditor's certificate in the amount of \$100,000.00 for various expenditures for labor, materials, and equipment in conjunction with new development projects managed by the Recreation and Parks Department; to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$100,000.00 from the Recreation and Parks Voted Bond Fund. (\$100,000.00)

**This item was approved on the Consent Agenda.**

### **EDUCATION: BROWN, CHR. FAVOR BARROSO DE PADILLA HARDIN**

**CA-39** [2876-2023](#) To authorize and direct the Director of the Mayor's Office of Education to enter into a contract with SureImpact, Inc. for the purposes of providing a unified data collection and reporting infrastructure for the Office's Middle School After School Program; and to authorize the expenditure of \$57,625.00 from the general fund. (\$57,625.00).

**This item was approved on the Consent Agenda.**

**CA-40** [3090-2023](#) To authorize the Director of the Office of Education to enter into a

not-for-profit service contract with Star House, to assist them in meeting the unique needs of homeless and housing-insecure high school and college-age youth, and to authorize the expenditure of \$100,000.00 from the general fund. (\$100,000.00)

**This item was approved on the Consent Agenda.**

**CA-41** [3389-2023](#)

To authorize the City Clerk to enter into a grant agreement with Alpha Rho Lambda Education Foundation, Inc. in support of the Go to High School Go to College program; and to authorize an appropriation and expenditure of \$10,800.00 within the Job Growth subfund. (\$10,800.00)

**Sponsors:** Nicholas Bankston

**This item was approved on the Consent Agenda.**

### **PUBLIC UTILITIES: DORANS, CHR. BANKSTON REMY HARDIN**

**CA-42** [1883-2023](#)

To authorize the Director of Public Utilities to renew the contract with Synagro Central, LLC to provide liquid land application of biosolids with regional storage services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$400,000.00 from the Sewer Operating Sanitary Fund; and to declare an emergency (\$400,000.00)

**This item was approved on the Consent Agenda.**

**CA-43** [2695-2023](#)

To authorize the Director of the Department of Public Utilities to renew and increase the contract with Safex, Inc. for the DPU Hazardous Energy Control Project for Department of Public Utilities facilities; and to authorize the expenditure of \$70,000.00 from the Sanitary Sewer Operating Fund and \$100,000.00 from the Water Operating Fund. (\$170,000.00)

**This item was approved on the Consent Agenda.**

**CA-44** [3163-2023](#)

To authorize the Director of the Department of Public Utilities to enter into a professional services contract with GPD Group for the Circuit 7221 Voltage Conversion, Phase I project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation between projects within the Electricity Bond Fund; and to authorize an expenditure of \$586,042.00 from the Electricity Bond Fund for this contract. (\$586,042.00)

**This item was approved on the Consent Agenda.**

**CA-45** [3222-2023](#)

To authorize the Director of Public Utilities to renew an existing service agreement with Aquatic Informatics, Inc. (DBA Tokay Software) for backflow prevention management software services; and to authorize the expenditure of \$45,200.00 from the Water Operating Fund. (\$45,200.00)



**This item was approved on the Consent Agenda.**

- CA-46** [3224-2023](#) To authorize the Director of Public Utilities to establish an additional purchase order to make payments to Delaware County for sewer services provided during fiscal year 2023; to authorize the transfer of cash and appropriation within the Sewer Operating Sanitary Fund; and to authorize the expenditure of \$250,000.00 from the Sewer Operating Sanitary Fund; and to declare an emergency. (\$250,000.00)

**This item was approved on the Consent Agenda.**

- CA-47** [3255-2023](#) To authorize the Director of the Department of Public Utilities to renew the contract with Irth Solutions, LLC to supply, integrate, and support a Ticket Management System for the Department of Public Utilities; and to authorize the expenditure of \$35,517.68 split among the Electricity, Water, Sanitary Sewer, and Stormwater Operating Funds. (\$35,517.68)

**This item was approved on the Consent Agenda.**

- CA-48** [3265-2023](#) To authorize the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator for the Division of Water; and to authorize the expenditure of \$76,000.00 from the Water Operating Fund; and to declare an emergency. (\$76,000.00)

**This item was approved on the Consent Agenda.**

- CA-49** [3300-2023](#) To authorize the Director of the Department of Public Utilities to enter into a contract modification with DLZ Ohio, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract related to the Noe-Bixby Road Street Lighting Improvements project; and to authorize the expenditure of \$129,591.25 from the Electricity Bond Fund for the contract modification. (\$129,591.25)

**This item was approved on the Consent Agenda.**

- CA-50** [3345-2023](#) To authorize the Director of the Department of Public Utilities to enter into a professional services contract for O'Shaughnessy Dam 9th FERC Independent Consultant Review with Burgess & Niple, Inc.; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Water Bond Fund; to authorize an expenditure of up to \$301,400.00 from the Water Bond Fund for the contract; and to declare an emergency. (\$301,400.00)

**This item was approved on the Consent Agenda.**

- CA-51** [3385-2023](#) To authorize the Director of Public Utilities to modify a contract with K &



M Kleening Service, Inc. to add janitorial services at various Department of Public Utilities, Division of Water and Division of Sewerage and Drainage facilities; to authorize the expenditure of \$363,384.27 from the Water and Sanitary Sewer Operating Funds; and to declare an emergency. (\$363,384.27)

**This item was approved on the Consent Agenda.**

**CA-52** [3475-2023](#)

To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; to authorize the expenditure of \$600,000.00 from the Water Operating Fund; and to declare an emergency. (\$600,000.00)

**This item was approved on the Consent Agenda.**

**WORKFORCE DEVELOPMENT: DORANS, CHR. FAVOR BROWN HARDIN**

**CA-53** [3446-2023](#)

To authorize the City Clerk to enter into a grant agreement with Creating Central Ohio Futures to support the Building Futures and Driving Futures programs; and to authorize an appropriation and expenditure within the Job Growth subfund. (\$100,000.00)

**Sponsors:** Rob Dorans

**This item was approved on the Consent Agenda.**

**BUILDING AND ZONING POLICY: DORANS, CHR. BANKSTON FAVOR HARDIN**

**CA-54** [3116-2023](#)

To adopt a new Combined Development Related Fee Schedule for the Departments of Building and Zoning Services, Public Service, and Public Safety, to be effective on Tuesday, January 16, 2024 and enforced on and after that date.

**This item was approved on the Consent Agenda.**

**CA-55** [3274-2023](#)

To authorize the Director of the Department of Building and Zoning Services to execute a service contract with Mid-West Presort Mailing Service, Inc. for the purpose of providing mailing services; and to authorize an expenditure of \$100,000.00 from the Development Services Fund. (\$100,000.00)

**This item was approved on the Consent Agenda.**

**CA-56** [3276-2023](#)

To authorize the Director of the Department of Building and Zoning Services to enter into contract with R3 Uniq Inc. for the purchase of document conversion services; and to authorize an expenditure of \$150,000.00 from the Development Services Fund. (\$150,000.00)

This item was approved on the Consent Agenda.

## HOUSING: FAVOR, CHR. BROWN BANKSTON HARDIN

**CA-57** [3256-2023](#) To authorize the Director of the Department of Development to modify the contract with Inservice Training Network to extend the term end date of the contract from December 31, 2023 to December 31, 2024; to modify the contract to increase funding in an amount up to \$45,000.00 for professional development/certification services for city staff who administer the program, contractors, and their employees; to authorize the expenditure up to \$45,000.00 from the General Government Grant Fund; and to declare an emergency. (\$45,000.00)

This item was approved on the Consent Agenda.

**CA-58** [3284-2023](#) To authorize the Director of the Department of Development to modify the contract with ATC Group Services LLC to extend the term of the agreement from February 28, 2024 until December 31, 2024. (\$0.00)

This item was approved on the Consent Agenda.

**CA-59** [3295-2023](#) To authorize the Director of the Department of Development to modify the contract with Shamrock Asphalt Services LLC to extend the term of the agreement from December 31, 2023 until December 31, 2024. (\$0.00)

This item was approved on the Consent Agenda.

**CA-60** [3308-2023](#) To amend the 2023 Capital Improvement Budget; to authorize the Director of the Department of Development to modify a contract with The Water Works LLC; to authorize the expenditure of \$40,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$40,000.00)

This item was approved on the Consent Agenda.

**CA-61** [3319-2023](#) To authorize the Director of the Department of Development to enter into not-for-profit service contracts with various non-profit entities to perform due diligence and predevelopment services on parcels held in the Land Reutilization program; to authorize the Director of the Department of Development to enter into a not-for-profit service contract with the Central Ohio Community Land Trust Corporation; to authorize the appropriation and expenditure of \$400,000.00 from the Neighborhood Economic Development Fund; and to declare an emergency. (\$400,000.00)

This item was approved on the Consent Agenda.

**CA-62** [3321-2023](#) To authorize the Director of the Department of Development to modify

the contract with Mann Roofing & Construction Roofing LLC to extend the term of the agreement from December 31, 2023 until December 31, 2024. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-63** [3322-2023](#)

To authorize the Director of the Department of Development to modify the contract with Revere Roofing Company, Inc. related to the Housing Division's Roof Replacement Program to extend the term of the agreement from December 31, 2023 until December 31, 2024. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-64** [3357-2023](#)

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Equitas Health Inc., PO363460 and PO385992 from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$355,723.99; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$355,723.99 utilizing the 2021 Housing Opportunities for People with Aids (HOPWA) entitlement; and to declare an emergency. (\$355,723.99).

**This item was approved on the Consent Agenda.**

**CA-65** [3358-2023](#)

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Faith Mission Inc. (PO361388) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$80,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased expenditure; to authorize the a expenditure of up to \$80,000.00 utilizing the 2021 Housing Opportunities for People with AIDS (HOPWA) entitlement; and to declare an emergency. (\$80,000.00)

**This item was approved on the Consent Agenda.**

**CA-66** [3359-2023](#)

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contracts with Licking County Coalition for Housing, to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program (PO361479) and (PO399154) from December 31, 2023 to December 31, 2024; to modify the contracts to increase the funding in an amount up to \$27,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$27,000.00 utilizing the 2021 HOPWA entitlement

grant from the U.S. Department of Housing and Urban Development; and to declare an emergency. (\$27,000.00).

**This item was approved on the Consent Agenda.**

**CA-67** [3361-2023](#)

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Community Action Program Commission of the Lancaster-Fairfield Community Area (PO363459) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$22,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased expenditure; to authorize the a expenditure of up to \$22,000.00 utilizing the 2021 Housing Opportunities for People with AIDS (HOPWA) entitlement; and to declare an emergency. (\$22,000.00)

**This item was approved on the Consent Agenda.**

**CA-68** [3382-2023](#)

To authorize the City Attorney to modify an existing contract with Columbus Next Generation Corporation; and to authorize an expenditure of \$220,000.00 within the General Fund. (\$220,000.00)

**This item was approved on the Consent Agenda.**

**CA-69** [3439-2023](#)

To authorize the Director of the Department of Development to modify a contract with Evolved Plumbing and Mechanical LLC; to authorize the expenditure of \$40,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$40,000.00)

**This item was approved on the Consent Agenda.**

**CA-70** [3469-2023](#)

To authorize the Director of the Department of Building and Zoning Services to enter into a non-profit service contract with the Legal Aid Society of Columbus for referral services for fair housing enforcement; to authorize the appropriation and expenditure of \$10,000.00 in the Neighborhood Initiatives subfund; and to declare an emergency. (\$10,000.00)

**Sponsors:** Shayla Favor

**This item was approved on the Consent Agenda.**

**CRIMINAL JUSTICE & JUDICIARY: FAVOR, CHR. DORANS BARROSO DE PADILLA HARDIN**

**CA-71** [3334-2023](#)

To authorize and direct the Municipal Court Clerk to modify and extend the contract with ACI Payments, Inc. for the provision of electronic payment services; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

**HEALTH & HUMAN SERVICES: FAVOR, CHR. BARROSO DE PADILLA  
BROWN HARDIN**

**CA-72** [3179-2023](#) To authorize the Director of the Department of Development to execute a grant agreement with Human Service Chamber Foundation in an amount up to \$300,000.00; to authorize the provision of services for a 12-month period from January 1, 2024, to December 31, 2024; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; and to authorize the transfer and expenditure of up to \$300,000.00 from the General Fund. (\$300,000.00)

This item was approved on the Consent Agenda.

**CA-73** [3260-2023](#) To authorize the Director of the Department of Development to modify the scope of services in a Not for Profit Services Contract with Tony R. Wells Foundation, to request emergency action to ensure funds are available to tenants at risk of displacement, and to extend the agreement term to December 31, 2024; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

**CA-74** [3400-2023](#) To authorize the Board of Health to enter into contract with K.N.S. Services, Inc. for the purchase and installation of security cameras and related equipment at Columbus Public Health in accordance with the sole source procurement provisions of Columbus City Code; to authorize the expenditure of \$130,035.95 from the Health Special Revenue Fund; and to declare an emergency. (\$130,035.95)

This item was approved on the Consent Agenda.

**CA-75** [3411-2023](#) To authorize the Board of Health to modify an existing contract with OSS Ohio Holdings, LLC. for security officer services; to authorize a total expenditure of \$10,000.00 from the Health Special Revenue Fund for said contract modification; and to declare an emergency. (\$10,000.00)

This item was approved on the Consent Agenda.

**CA-76** [3431-2023](#) To authorize the Director of the Department of Finance and Management, on behalf of the Board of Health, to enter into a contract and establish a purchase order with 2K General Co.; to authorize the expenditure of up to \$57,125.62 from the Health Special Revenue Fund; and to declare an emergency. (\$57,125.62)

This item was approved on the Consent Agenda.

**CA-77** [3451-2023](#) To authorize the Board of Health to modify three existing contracts for language services with Access 2 Interpreters, LLC; Effectiff LLC; and

Sign Language USA LLC; to authorize the expenditures to cover these modifications from the 2023 Health Special Revenue Fund; and to declare an emergency. (\$135,000.00).

**This item was approved on the Consent Agenda.**

**CA-78** [3489-2023](#)

To authorize the Director of the Department of Finance and Management to modify and extend two (2) Universal Term Contracts for the option to purchase Health Clinical Supplies with Henry Schein, Inc. and Bound Tree Medical, LLC; and to declare an emergency.

**This item was approved on the Consent Agenda.**

**CA-79** [3561-2023](#)

To authorize the City Clerk to enter into a grant agreement with Brown Girls Mentoring in support of the organization's youth programming; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$40,000.00)

**Sponsors:** Nicholas Bankston, Lourdes Barroso De Padilla and Shayla Favor

**This item was approved on the Consent Agenda.**

**PUBLIC SAFETY: REMY, CHR. BARROSO DE PADILLA DORANS HARDIN**

**CA-80** [3253-2023](#)

To authorize and direct the Mayor of the City of Columbus to accept a FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant award from the National Institute of Justice; to authorize the Crime Lab Manager as the official city representative to act in connection with this grant; and to authorize an appropriation of \$388,271.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the cost of the FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant activities and expenditures. (\$388,271.00)

**This item was approved on the Consent Agenda.**

**CA-81** [3268-2023](#)

To authorize the City Auditor to transfer funds within the Safety Bond Fund; to authorize the Finance and Management Director to associate general budget reservations resulting from this ordinance with the appropriate universal term contract purchase agreement, on behalf of the Division of Fire, for the purchase of SCBA equipment from Atlantic Emergency Solutions, and apparatus repair services from Heritage Fire Equipment, LLC; to amend the 2023 Capital Improvement Budget; to authorize the expenditure of \$318,000.00 from the Safety Bond Fund; and to declare an emergency. (\$318,000.00)

**This item was approved on the Consent Agenda.**

**CA-82** [3375-2023](#)

To authorize the Director of the Department of Public Safety to enter into

a contract with Heritage Health Solutions, Inc Services Inc for the Division of Police, for the purpose of processing, negotiating, and auditing prisoner medical claims; and to authorize the expenditure of \$68,400.00 from the General Fund, and to declare an emergency. (\$68,400.00)

**This item was approved on the Consent Agenda.**

### **ENVIRONMENT: REMY, CHR. BARROSO DE PADILLA FAVOR HARDIN**

- CA-83** [3457-2023](#) To authorize the Director of the Department of Public Service to modify the contract with Rumpke of Ohio, Inc., for yard waste and recycling collection services; to authorize the expenditure of \$165,000.00 from the General Fund for added fuel surcharges negotiated as part of the most recent contract renewal; and to declare an emergency. (\$165,000.00)

**This item was approved on the Consent Agenda.**

- CA-84** [3459-2023](#) To authorize the Director of Public Service to modify the tree trimming services contract with Asplundh Tree Expert LLC and to add funds; to authorize the expenditure of up to \$150,000.00 from the General Fund; and to declare an emergency. (\$150,000.00)

**This item was approved on the Consent Agenda.**

### **FINANCE: HARDIN, CHR. BANKSTON REMY BARROSO DE PADILLA**

- CA-85** [2994-2023](#) To authorize the Director of the Department of Finance and Management to enter into a contract with Stone Environmental Engineering and Science Inc.; to authorize the expenditure of Department of Finance and Management - Grants Management Administration funds in the amount of \$40,000.00 (Fund 2248); to authorize the Director of the Department of Finance and Management to appropriate and authorize the expenditure of \$50,000.00 of HOME Investment Partnership funds (Fund 2201) and \$20,000.00 of HOME-ARP funds (Fund 2201); and to declare an emergency. (\$110,000.00)

**This item was approved on the Consent Agenda.**

- CA-86** [3115-2023](#) To authorize the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division with Winnsapes, Inc. for snow removal services for locations under the purview of the Facilities Management Division; and to authorize the expenditure of \$236,058.80 from the General Fund. (\$236,058.80)

**This item was approved on the Consent Agenda.**

- CA-87** [3226-2023](#) To authorize the Director of Finance and Management to renew a contract with Booth Management Consulting, LLC for one additional



year; and to allow for continuation of services and payment starting January 24, 2024. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-88** [3235-2023](#)

To authorize the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) for the purchase of vehicles and vehicle up-fitting needs for use by the Departments of Public Safety, Development, Finance, Public Service, and Recreation and Parks with Byers Ford, Law and Order Technology LLC, Parr Public Safety, and Ricart Properties; to authorize the Director of the Department of Finance and Management to establish purchase orders from DAS cooperative contracts for the purchase of related vehicle up-fitting; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle up-fitting needs which will be purchased in accordance with the competitive bidding provisions of Columbus City Code; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle costs, model year changes, or cost increases; to authorize the appropriation and expenditure of \$500,000.00 from the Special Income Tax Fund; and to declare an emergency. (\$500,000.00)

**This item was approved on the Consent Agenda.**

**CA-89** [3379-2023](#)

To authorize the Director of the Department of Finance and Management to enter into a Universal Term Contract for the option to purchase Hazardous and Non-Hazardous Waste Disposal Services with Bear Environmental LLC; and to authorize the expenditure of \$1.00. (\$1.00)

**This item was approved on the Consent Agenda.**

**CA-90** [3394-2023](#)

To formally accept certain real estate conveyed to the City that is being used for various public purposes; and to authorize the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks to enter into any necessary agreements, as approved by the City Attorney's Office, in order to address any real estate tax or assessment issues. (\$0.00)

**This item was approved on the Consent Agenda.**

**CA-91** [3477-2023](#)

To authorize the Director of the Department of Finance and Management to modify the existing subaward with Capital Crossroads Special Improvement District to reallocate budgeted funds; to authorize the Director of the Department of Finance and Management to extend the contract period of performance with Capital Crossroads Special Improvement District; and to declare an emergency.



This item was approved on the Consent Agenda.

**CA-92** [3450-2023](#)

To authorize the Director of the Department of Finance and Management to enter into a subrecipient agreement not-for-profit service contract with Ohio Women's Alliance in support of ensuring Access to Reproductive Healthcare; to authorize an expenditure of \$134,000.00 within the Recovery fund; and to declare an emergency. (\$134,000.00)

**Sponsors:** Lourdes Barroso De Padilla and Shayla Favor

This item was approved on the Consent Agenda.

**CA-93** [3458-2023](#)

To authorize the Director of the Department of Finance and Management, on behalf of the Real Estate Management Office, to associate all General Budget Reservations resulting from this ordinance with the Universal Term Contract Purchase Agreement with Workspace Ohio LLC, DBA Dupler Office for purchase of office furniture and the Universal Term Contract Purchase Agreement with TwoK General Co. d/b/a 2K General Co for carpet replacement; to authorize the appropriation of \$219,956.74 within the General Permanent Improvement Fund; to authorize the transfer and expenditure of \$222,020.74 in the General Permanent Improvement Fund; to amend the 2023 Capital Improvement Budget; and to declare an emergency (\$222,020.74).

This item was approved on the Consent Agenda.

**CA-94** [3525-2023](#)

To establish a new authorized strength ordinance for various divisions in the City of Columbus; to repeal ordinance 2657-2023; and to declare an emergency.

This item was approved on the Consent Agenda.

**CA-95** [3557-2023](#)

To authorize and direct the City Auditor to establish auditor's certificates in the amount of \$700,000.00 for various expenditures for supplies, materials, Central Ohio Transportation Authority CNG payments, fuel, and equipment within the Department of Finance and Management, Fleet Management Division; to authorize the transfer of \$700,000.00 within the Fleet Management Fund; to authorize the expenditure of \$700,000.00 from the Fleet Management Fund; and to declare an emergency (\$700,000.00)

This item was approved on the Consent Agenda.

**CA-96** [3570-2023](#)

To authorize the Director of the Department of Finance and Management to enter into a grant agreement with the Girls Scouts of Ohio's Heartland; to authorize the transfer of \$750,000.00 within the General Fund; to authorize the expenditure of \$750,000.00 from the General Fund; and to declare an emergency (750,000.00)

This item was approved on the Consent Agenda.

### APPOINTMENTS

**CA-97** [A0193-2023](#) Appointment of Kadajah Torian, CelebrateOne Senior Manager of Pregnancy and Perinatal Supports, 1111 E. Broad Street, Suite 302, Columbus, OH 43205, to the Ohio Board of Nursing's Doula Advisory Board for a one year term, beginning January 1, 2024 (resume attached).

This item was approved on the Consent Agenda.

**CA-98** [A0194-2023](#) Reappointment of Kenny McDonald, President and CEO, The Columbus Partnership, 150 South Front Street, Columbus, Ohio, 43215, to serve on the Columbus Regional Airport Authority Board of Directors, with a new term expiration date of December 31, 2027 (profile attached).

This item was approved on the Consent Agenda.

**CA-99** [A0195-2023](#) To appoint Kristen Atha, Director, Columbus Department of Public Utilities, 910 Dublin Road, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).

This item was approved on the Consent Agenda.

**CA-10** [A0196-2023](#)  
**0** To appoint Jennifer Fening, Deputy Director, Columbus Department of Development, 111 N. Front Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).

This item was approved on the Consent Agenda.

**CA-10** [A0197-2023](#)  
**1** To appoint Jennifer Gallagher, Director, Columbus Department of Public Service, 111 N. Front Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).

This item was approved on the Consent Agenda.

**CA-10** [A0198-2023](#)  
**2** To appoint Shannon G. Hardin, President, Columbus City Council, 90 W. Broad Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in his official capacity, until such time as the appointment is rescinded or he resigns (resume attached).

This item was approved on the Consent Agenda.

- CA-10** [A0199-2023](#)  
**3** To appoint Rory McGuiness, Deputy Director, Columbus Department of Public Service, 111 N. Front Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in his official capacity, until such time as the appointment is rescinded or he resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-10** [A0200-2023](#)  
**4** To appoint Pamela H. O'Grady, Deputy Director, Columbus Department of Technology, 1111 E. Broad Street, Columbus, OH 43205, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (biography attached).  
**This item was approved on the Consent Agenda.**
- CA-10** [A0201-2023](#)  
**5** To appoint Erin Prosser, Assistant Director, Columbus Department of Development, 111 N. Front Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-10** [A0202-2023](#)  
**6** To appoint Bernita Reese, Director, Columbus Department of Recreation and Parks, 1111 E. Broad Steet, Columbus, OH 43205, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-10** [A0203-2023](#)  
**7** To appoint Stephen Sayre, Deputy Chief of Staff, Office of the Mayor, 90 W. Broad Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in his official capacity, until such time as the appointment is rescinded or he resigns (biography attached).  
**This item was approved on the Consent Agenda.**
- CA-10** [A0204-2023](#)  
**8** To appoint Michael Schadek, Director of Regional Partnerships, Office of the Mayor, 90 W. Broad Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in his official capacity, until such time as the appointment is rescinded or he resigns (profile attached).  
**This item was approved on the Consent Agenda.**

- CA-10** [A0205-2023](#)  
9 To appoint Alana Shockey, Deputy Director, Columbus Department of Public Utilities, 910 Dublin Road, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-11** [A0206-2023](#)  
0 To appoint Chloe Siens-Nunez, Assistant Director of Policy and Governmental Affairs, Office of the Mayor, 90 W. Broad Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in her official capacity, until such time as the appointment is rescinded or she resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-11** [A0207-2023](#)  
1 To appoint Andrew Williams, Assistant Director, Columbus Department of Public Service, 111 N. Front Street, Columbus, OH 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, in his official capacity, until such time as the appointment is rescinded or he resigns (profile attached).  
**This item was approved on the Consent Agenda.**
- CA-11** [A0208-2023](#)  
2 Appointment of Bill LaFayette, Founder and Owner, Regionomics, LLC, 1293 S. 4th Street, Columbus, OH, 43206, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, until such time as the appointment is rescinded or he resigns (biography attached).  
**This item was approved on the Consent Agenda.**
- CA-11** [A0209-2023](#)  
3 Appointment of Elissa Schneider, Founder, Fierce Ohio, 24 W. Russell Street, Columbus, OH, 43215, to serve on the Mid-Ohio Regional Planning Commission, to represent the City of Columbus' interests, until such time as the appointment is rescinded or she resigns (profile attached).  
**This item was approved on the Consent Agenda.**

### Approval of the Consent Agenda

**A motion was made by Emmanuel V. Remy, seconded by Shayla Favor, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

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

**ECONOMIC DEVELOPMENT: BANKSTON, CHR. REMY DORANS HARDIN**

**SR-1** [2602-2023](#) To authorize the Director of the Department of Development to enter into a dual-rate Jobs Growth Incentive Agreement with Wells Fargo Bank, N.A. for a term of up to five (5) consecutive years in consideration of the company's proposed total capital investment of \$3,250,000.00 and the creation of 350 net new full-time permanent positions with an estimated annual payroll of approximately \$43,750,000.00.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-2** [2614-2023](#) To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with G & J Pepsi-Cola Bottlers, Inc. (the "Enterprise") for a tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the Enterprise investing approximately \$18,000,000.00 in real property improvements, the creation of forty-four (44) net new full-time permanent positions with an estimated annual payroll of approximately \$2,200,000.00 and the retention of 546 full-time permanent positions with an annual payroll of approximately \$27,550,000.00 at the proposed Project Site.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-3** [3081-2023](#) To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with HUB Investment I LLC (the "Enterprise") for a tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the Enterprise investing approximately \$14,000,000.00 in new construction and the creation of eighteen (18) net new full-time permanent positions with an estimated annual payroll of approximately \$1,088,605.00 at the proposed Project Site.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-4** [3371-2023](#) To amend the 2023 Capital Improvements Budget; to authorize the transfer of funds within the Development Taxable Bonds Fund; to authorize the Director of the Department of Development to remit a portion of the Public Improvements Grant to the Columbus-Franklin

County Finance Authority for the North Market project pursuant to the Cooperative Agreement dated August 29, 2023; and to authorize the expenditure of \$5,000,000.00 for the public improvements for the North Market project. (\$5,000,000.00)

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-5** [3405-2023](#)

To amend Ordinance No. 2356-98, as previously amended, and to amend Ordinance No. 2357-98 to adjust the boundaries and to extend the exemption periods an additional thirty years for improvements to certain parcels comprising the Arena (Offsite) TIF and the Pen Site TIF pursuant to Ohio Revised Code Section 5709.51.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**Negative:** 1 - Rob Dorans

**SR-6** [3406-2023](#)

To authorize the Director of the Department of the Development to amend and restate the Amended and Restated TIF Reimbursement Agreement dated as of October 31, 2019 authorized by Ordinance No. 2043-2019, as amended by Ordinance No. 2932-2021, and to execute the Second Amended and Restated TIF Reimbursement Agreement with NWD Investments, LLC, relating to the extension of certain tax increment financing areas within the Arena District; to authorize the Director of the Department of the Development to enter into one or more housing development agreements with NWD Investments, LLC; and to authorize the appropriation, transfer, and/or expenditure of the service payments in lieu of taxes and property tax rollback payments from the TIFs under the Second Amended and Restated TIF Reimbursement Agreement.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**Negative:** 1 - Rob Dorans

[3307-2023](#)

To accept the application (AN23-016) of Francisco Anaya, Anaya Communities, LLC for the annexation of certain territory containing 22.7± acres in Prairie Township.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3309-2023](#)

To accept the application (AN23-019) of Paul D. Adkins for the annexation of certain territory containing 1.463± acres in Madison Township.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3310-2023](#)

To accept the application (AN23-020) of Robert & Judy Johnson and William & Angela Lutz for the annexation of certain territory containing 9.504± acres in Madison Township.

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**TECHNOLOGY: BANKSTON, CHR. DORANS BROWN HARDIN**

**SR-7** [3135-2023](#)

To authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency agreement (LGA) for the Department of Technology and various other city agencies; to waive the competitive bidding provisions of City code; and to authorize the expenditure of \$229,438.22 for the above-described purpose. (\$229,438.22)

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**



**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-8** [3537-2023](#) To authorize the City Clerk to enter into contract with AVI Systems Inc. for City Hall conference room renovations; to amend the 2023 Capital Improvement Budget; to authorize the appropriation, transfer, and expenditure of \$165,907.13 within the General Permanent Improvement Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$165,907.13)

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **RULES & REFERENCE: HARDIN, CHR. BROWN REMY FAVOR**

### **BANKSTON**

**SR-32** [3380-2023](#) To amend Chapter 3117 of the Columbus City Codes relative to the Historic Resources Commission; to repeal and replace Section 3119.09 of the Columbus City Codes relative to the Brewery District Commission and Historic Resources Commission assumption of jurisdiction over the Brewery District; and to amend Section 3119.21 of the Columbus City Codes relative to the Historic Resources Commission assumption of jurisdiction over the Brewery District.

**Sponsors:** Nicholas Bankston

**A motion was made by Nicholas Bankston, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **PUBLIC SERVICE & TRANSPORTATION: BARROSO DE PADILLA, CHR. FAVOR BANKSTON HARDIN**

**SR-9** [3167-2023](#) To appropriate funds within the Rocky Fork TIF Fund, Rocky Fork TIF Capital Fund, Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund, and the Northeast Corridor Pay as We Grow Fund; to authorize the City Auditor to transfer cash between the Rocky Fork TIF Fund and the Rocky Fork TIF Capital Fund; to authorize the City Auditor to transfer within the Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund and the Northeast Corridor Pay as We Grow Fund; to authorize the Director of the Department of Public Service to enter into contract with Shelly and Sands, Inc. for the Intersection Improvements - Dublin □ Granville Road at Ulry Road project;



and to authorize the expenditure of \$4,541,549.31 split among the Rocky Fork TIF Capital Fund, Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund, and the Northeast Corridor Pay as We Grow Fund for the project. (\$4,541,549.31)

**A motion was made by Lourdes Barroso De Padilla, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

### **NEIGHBORHOODS AND IMMIGRANT, REFUGEE, AND MIGRANT AFFAIRS: BARROSO DE PADILLA, CHR. DORANS REMY HARDIN**

**LA**     [3552-2023](#)     To authorize the City Clerk to enter into a grant agreement with Alvis, Inc. in support of their Family and Children's Program; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$50,000.00)

**Sponsors:**           Mitchell Brown

**A motion was made by Lourdes Barroso De Padilla, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Abstained:** 1 - Nicholas Bankston

**Affirmative:** 6 - Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

### **RECREATION & PARKS: BROWN, CHR. DORANS BANKSTON HARDIN**

**SR-10**   [3186-2023](#)     To authorize and direct the City Auditor to set up a certificate in the amount of \$1,868,395.00 for the purchase of equipment for the Recreation and Parks Department; to authorize and direct the Director of the Department of Finance and Management to enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; to authorize the appropriation of \$40,000.00 within the Recreation and Parks Permanent Improvement Fund; to authorize the transfer of \$1,868,395.00 within the Recreation and Parks Voted Bond Fund and Permanent Improvement Fund; to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$1,868,395.00 from the Recreation and Parks Voted Bond Fund and Permanent Improvement Fund. (\$1,868,395.00)

**A motion was made by Mitchell Brown, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-11** [3193-2023](#) To authorize the Director of the Recreation and Parks Department to enter into various contracts for management of the Urban Forestry Master Plan; to authorize and direct the City Auditor to establish auditor's certificates in the amount of \$2,000,000.00 for various expenditures in conjunction with the management of the Urban Forestry Master Plan; to authorize and direct the Director of Finance and Management to enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; to authorize the transfer of \$1,950,796.46 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget and to authorize the expenditure of \$2,000,000.00 from the Recreation and Parks Voted Bond Fund. (\$2,000,000.00)

**A motion was made by Mitchell Brown, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### **RULES & REFERENCE: HARDIN, CHR. BROWN REMY FAVOR**

#### **BROWN**

**SR-33** [2800-2023](#) To amend City Code Chapter 912, Trees and Shrubs, by repealing and replacing the chapter in its entirety; and to supersede provisions of Executive Order 2015-01, Tree Protection and Mitigation Policy. (\$0)

**Sponsors:** Mitchell Brown and Emmanuel V. Remy

**A motion was made by Mitchell Brown, seconded by Shayla Favor, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-34** [3201-2023](#) To repeal Chapters 923, 924, and 2111 of the Columbus City Codes, and adopt new Chapter 923 to create uniform requirements for events conducted on public property to be administered by the Recreation and Parks Department. (\$0.00)

**Sponsors:** Mitchell Brown

**A motion was made by Mitchell Brown, seconded by Rob Dorans, that this Ordinance be Referred to Committee. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### **PUBLIC UTILITIES: DORANS, CHR. BANKSTON REMY HARDIN**

**SR-12** [3128-2023](#) To authorize the Director of the Department of Public Utilities to enter into a construction contract with Shelly and Sands, Inc., for the Roosevelt Drive Area Water Line Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of funds from the Water Reserve Fund to the Water Fresh Water Market Rate Fund; to authorize the appropriation of funds; and to authorize the expenditure of up to \$3,746,932.40 from the Water Fresh Water Market Rate Fund and the Water Bond Fund. (\$3,746,932.40)

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-13** [3200-2023](#) To authorize the Director of Public Utilities to enter into a professional services contract with GPD Group for the 69-2 Circuit Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation between projects within the Electricity Bond Fund; and to authorize an expenditure of up to \$1,526,280.03 from the Electricity Bond Fund to pay for the contract. (\$1,526,280.03)

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-14** [3237-2023](#) To authorize the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of \$1,204,608.25 split among the Water Bond Fund and the Sanitary Bond Fund for the modification. (\$1,204,608.25)

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-15** [3299-2023](#) To authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction Company for the Inflow Redirection Markison, Hydraulic Modifications to Combined Sewer Overflow Regulator Markison, and Wilson Ave Waterline Improvements projects; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve to the Sanitary Revolving Loan Fund; to

authorize the appropriation of funds within the Sanitary Revolving Loan Funds; to authorize the expenditure of up to \$30,451,881.42 from the Sanitary Revolving Loan Fund, the Sanitary Bond Fund, and the Water Bond Fund to pay for the project; and to declare an emergency. (\$30,451,881.42).

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-16** [3339-2023](#)

To authorize the Director of Public Utilities to enter into service contracts with Continental Office Furniture Corporation and The D J Bradley Company, Inc. used cubicles and furniture, the configuration and installation of the cubicles and furniture; to waive the formal bidding requirements of Columbus City Code; to authorize the expenditure of up to \$200,000.00 from the Department and the Division of Water Fund to pay for this contract; and to declare an emergency. (\$200,000.00)

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-17** [3346-2023](#)

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Travco Construction Inc. and John Eramo & Sons Inc. for the 2024 Water Main Repairs project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Water Bond Fund; to authorize the expenditure of up to \$1,574,527.75 for the project; and to declare an emergency. (\$1,574,527.75)

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-18** [3362-2023](#)

To authorize the Finance and Management Director to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system on behalf of the Division of Water; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$154,940.00 from the Water Operating Fund; and to declare an emergency. (\$154,940.00)

**A motion was made by Rob Dorans, seconded by Shayla Favor, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-19** [3364-2023](#) To authorize the Director of the Department of Public Utilities to modify and increase the contract with Ascension Construction Solutions, LLC for the Department of Public Utilities Waste Water Treatment Facilities Professional Construction Management Services project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation between projects in the Sanitary Bond Fund; to authorize an expenditure of up to \$17,952,267.00 within the Sanitary Bond Fund to pay for the contract modification; and to declare an emergency. (\$17,952,267.00)

**A motion was made by Rob Dorans, seconded by Shayla Favor, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

### **WORKFORCE DEVELOPMENT: DORANS, CHR. FAVOR BROWN HARDIN**

**LA** [3532-2023](#) To authorize the Director of the Department of Development to enter into a grant agreement with Rickenbacker/Woods Technology Museum & Historic Park, Inc. DBA Rickenbacker Woods Foundation in an amount up to \$200,000.00 in support of the Creators, Originators & Innovators of Tomorrow Workforce Initiative; to authorize the transfer of \$200,000.00 between the Citywide Account and the Department of Development; to authorize payment for reasonable food and non-alcoholic beverages for participants of programs included in the grant agreement; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the reimbursement of non-food and non-beverage expenditures incurred prior to the establishment of a purchase order; to authorize the expenditure of \$200,000.00 from the General Fund; and to declare an emergency. (\$200,000.00)

**A motion was made by Rob Dorans, seconded by Shayla Favor, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[2476-2023](#) To authorize the Director of the Department of Public Utilities to enter into a grant agreement with the Mid-Ohio Regional Planning Commission to provide funding and support for the 2023 Water Resources Program; to authorize the expenditure of \$60,000.00 split among the Sanitary Sewer, Water, and Stormwater Operating Funds; and to authorize the City Auditor to transfer funds between object classes within each of those funds to support this expense. (\$60,000.00)

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3314-2023](#)

To authorize the Director of Public Utilities to enter into a contract with CDM Smith Inc. for the Stormwater and Sanitary Remote Site Communication Network Upgrades projects; to authorize an amendment to the 2023 Capital Improvements Budget; to authorize a transfer of cash and appropriation within the Stormwater Bond Fund and within the Sanitary Bond Fund; and to authorize the expenditure of up to \$97,757.00 from the Stormwater Bond Fund and the expenditure of up to \$320,881.00 from the Sanitary Bond Fund to pay for the project. (\$418,638.00)

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3330-2023](#)

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the Short Circuit Coordination and Arc Flash Studies #1 project; to authorize an amendment to the 2023 Capital Improvement Budget; and to authorize an expenditure of up to \$350,000.00 from the Sanitary Bond Fund to pay for the contract modification. (\$350,000.00)

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3335-2023](#)

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the SWWTP Power System Upgrade and Safety Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond

Fund; and to authorize an expenditure of up to \$720,000.00 within the Sanitary Bond Fund to pay for the contract modification. (\$720,000.00)

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3347-2023](#)

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Danbert Electrical Corporation for the Noe-Bixby Road Street Lighting Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Electricity Bond Fund; and to authorize the expenditure of up to \$422,179.32 for the project. (\$422,179.32)

**A motion was made by Rob Dorans, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3348-2023](#)

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Korda/Nemeth Engineering, Inc. for the Department of Public Utilities Archive and Records Storage project; and to authorize an expenditure of up to \$360,232.52 within the Sanitary Bond Fund to pay for the contract modification. (\$360,232.52)

**A motion was made by Rob Dorans, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3492-2023](#)

To authorize the Director of Public Utilities to modify the existing water service contract and sewer service contract with Franklin County, Ohio, for the provision of water and sewer service to certain properties within Perry Township in order to adjust the boundaries of the service areas



under those agreements to align with the adjusted boundaries of the existing annexation agreement between the City and Perry Township. (\$0.00)

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**HOUSING: FAVOR, CHR. BROWN BANKSTON HARDIN**

**SR-20** [3413-2023](#)

To authorize the Director of the Department of Development to enter into a contract with Jonathan Barnes Architecture and Design in support of architectural design services that will be used to aid in the Accessory Dwelling Unit Pilot Program for Columbus residents; to authorize an expenditure from the Development Taxable Bond fund; to authorize expenditures prior to the Purchase Order; to waive the competitive bidding provisions of Columbus City Codes; to repeal ordinance 2814-2023; and to declare an emergency (\$50,000.00).

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RULES & REFERENCE: HARDIN, CHR. BROWN REMY FAVOR**

**FAVOR**

**SR-35** [3447-2023](#)

To repeal and replace existing Chapter 4565 of the Columbus City Codes to incorporate certain administrative modifications; and to enact Section 4565.10 of the Columbus City Codes to provide a waiver process related to affordability requirements for owner-occupied housing units.

**Sponsors:** Shayla Favor

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**HOUSING: FAVOR, CHR. BROWN BANKSTON HARDIN**



**SR-21** [3448-2023](#)

To create the Columbus Housing Community Reinvestment Area (CHCRA); to authorize real property tax exemptions as authorized by Chapter 3735 of the Ohio Revised Code (ORC); to provide that the City's existing Community Reinvestment Area Housing Council shall serve as the Housing Council for the CHCRA; to designate the Housing Administrator as the Housing Officer for the CHCRA; and to repeal various ordinances establishing or amending currently existing Community Reinvestment Areas that will be absorbed into the boundary of the CHCRA.

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-22** [3449-2023](#)

To amend Ordinance Number 3221-2018, as amended by Ordinance 3169-2022, for the purpose of changing the Department of Development/Economic Development Division's Fee Schedule for fees that support the Department's administrative and project costs associated with administering Department programs.

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**LA** [3560-2023](#)

To authorize the appropriation and expenditure of \$400,000.00 from the 2024 HOME Administration monies within the HOME Investment Partnerships Program from the U.S. Department of Housing and Urban Development (HUD) to the Department of Development to provide funding for personnel expenses in the Department of Development's Housing Division for FY 2024; and to declare an emergency. (\$400,000.00)

**A motion was made by Shayla Favor, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**HEALTH & HUMAN SERVICES: FAVOR, CHR. BARROSO DE PADILLA  
BROWN HARDIN**

**SR-23** [3432-2023](#) To authorize and direct the Board of Health to accept the grant service contract from the Alcohol, Drug and Mental Health (ADAMH) Board of Franklin County in the amount of \$1,854,955.81; to authorize the appropriation of \$2,254,955.81, which includes program revenues, to the Health Department in the Health Department Grants Fund; and to declare an emergency. (\$2,254,955.81)

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-24** [3549-2023](#) To authorize the Director of the Department of Development to enter into a Subrecipient Agreement Not-for-Profit Service Contract with Community Shelter Board (CSB) in an amount not to exceed \$1,200,000.00 for the purpose of supporting winter warming services; to authorize an appropriation and expenditure of \$600,000.00 within the Neighborhood Initiatives Subfund; to authorize the expenditure of \$600,000.00 from the American Rescue Plan Act (ARPA) funds; to authorize the reimbursement of non-food and non-beverage expenditures incurred prior the approval of the purchase order; and to declare an emergency. (\$1,200,000.00)

**A motion was made by Shayla Favor, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### **PUBLIC SAFETY: REMY, CHR. BARROSO DE PADILLA DORANS HARDIN**

**SR-25** [2766-2023](#) To authorize the Director of the Department of Public Safety to enter into contract with Crowd and Conflict Management Ltd. and the Ohio State University in a collaboration to implement a science-led approach to policing called "project LEGACY"; to authorize the transfer of funds within the general fund from the city-wide account to the Department of Public Safety; to authorize the expenditure of \$217,145.20 from the general fund and \$175,000.00 from the General Government Grant Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$392,145.20)

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-26** [3269-2023](#) To authorize and direct the City Auditor to transfer \$647,330.00 between projects within the Safety Bond Fund; to amend the 2023 Capital

Improvement Budget; to waive the competitive bidding and sale of surplus provisions of the Columbus City Codes; to authorize the Finance and Management Director to enter into a contract with and issue a purchase order to Atlantic Emergency Solutions for the purchase of five (5) ambulances in the amount of \$647,330.00; to authorize the expenditure of \$647,330.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$647,330.00)

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-27** [3270-2023](#)

To authorize and direct the City Auditor to transfer \$1,512,944.00 within the Safety General Obligation Bond Fund; to amend the 2023 Capital Improvement Budget; to authorize the Finance and Management Director, on behalf of the Department of Public Safety, to enter into contracts with and issue a purchase order to Horton Emergency Vehicles for the purchase of four (4) EMS transport vehicles in the amount of \$1,512,944.00; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$1,512,944.00 from the Safety General Obligation Bond Fund; and to declare an emergency. (\$1,512,944.00)

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-28** [3387-2023](#)

To authorize the Director of Finance and Management to issue a purchase order for the purchase of Conducted Electrical Weapons (CEWs) and maintenance with Axon Enterprise Inc. for the Division of Police from Universal Term Contract, to authorize the expenditure of \$3,000,000.00 from the General Fund; and to declare an emergency. (\$3,000,000.00)

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3363-2023](#)

To authorize and direct the Finance and Management Director to return to Jessica Owens a police horse with the registered name of "Sam" which has no further value to the Division of Police, and to waive the provisions of City Code-Sale of City-owned personal property.

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, to Waive the 2nd Reading. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**ENVIRONMENT: REMY, CHR. BARROSO DE PADILLA FAVOR HARDIN**

**SR-29** [3452-2023](#) To authorize the Director of the Department of Public Service to enter into a contract with Nexstar Media Inc., for marketing campaign services for the Cleaner Columbus Initiative; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; to waive the competitive bidding requirements of Columbus City Code; and to declare an emergency. (\$100,000.00)

**Sponsors:** Emmanuel V. Remy

**A motion was made by Emmanuel V. Remy, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**ADMINISTRATION: REMY, CHR. BROWN DORANS HARDIN**

**SR-30** [3527-2023](#) To authorize the Director of the Office of Diversity and Inclusion to enter into a not-for-profit service contract with the YWCA Columbus to conduct a community stakeholder engagement process and develop a race equity plan for the City of Columbus; to authorize the appropriation and expenditure of up to \$150,000.00 in the Neighborhood Initiatives subfund; and to declare an emergency. (\$150,000.00)

**Sponsors:** Shayla Favor

**A motion was made by Emmanuel V. Remy, seconded by Shayla Favor, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RULES & REFERENCE: HARDIN, CHR. BROWN REMY FAVOR**

**REMY**

**SR-36** [1374-2022](#) To amend section 2329.11 of the Columbus City Codes pertaining to community noise; to include certain prohibitions of unreasonably loud and raucous noise from non-residential properties, to allow the Department of

Building and Zoning Services to enforce provisions, and to include a civil penalty option as an available remedy; and to repeal existing section 2329.11.

**Sponsors:** Emmanuel V. Remy

**A motion was made by Emmanuel V. Remy, seconded by Shayla Favor, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Emmanuel V. Remy, seconded by Shayla Favor, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **FINANCE: HARDIN, CHR. BANKSTON REMY BARROSO DE PADILLA**

**SR-31** [3315-2023](#) To authorize the Director of the Department of Finance and Management to negotiate and enter into contracts for energy supply; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$1.00 from the General Fund; and to declare an emergency. (\$1.00)

**A motion was made by Shannon G. Hardin, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **RULES & REFERENCE: HARDIN, CHR. BROWN REMY FAVOR**

### **HARDIN**

**SR-37** [3267-2023](#) To amend Columbus City Codes Section 362.013 in order to allow for the deposit of proceeds received from 25% of the City's existing municipal income tax to a subfund of the general fund and to clarify the allowable uses for such monies; to authorize Fund 4430 to be renamed as Debt Retirement Fund; to repeal Ordinance 1974-2011; and to declare an emergency.

**Sponsors:** Shannon G. Hardin

**A motion was made by Shannon G. Hardin, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**SR-38** [3546-2023](#) To repeal Sections 2329.15 and 2329.16 of the Columbus City Codes to bring the City into compliance with state law after the passage of Issue 2; and to declare an emergency.

**Sponsors:** Shannon G. Hardin and Barroso de Padilla

**A motion was made by Shannon G. Hardin, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RECESSED**

**A motion was made by Emmanuel V. Remy, seconded by Rob Dorans, to Motion to Recess the Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**RECESSED AT 9:49 PM**

**THE NEXT REGULAR MEETING OF COUNCIL IS MONDAY, JANUARY 8TH AT 5:00 P.M.**



# City of Columbus

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

## Minutes - Final Zoning Committee

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Monday, December 11, 2023

6:30 PM

City Council Chambers, Rm 231

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### REGULAR MEETING NO. 63 OF CITY COUNCIL (ZONING), DECEMBER 11, 2023 AT 6:30 P.M. IN COUNCIL CHAMBERS.

#### ROLL CALL

**Present** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### READING AND DISPOSAL OF THE JOURNAL

A motion was made by Emmanuel V. Remy, seconded by Nicholas Bankston, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

#### EMERGENCY, POSTPONED AND 2ND READING OF 30 DAY LEGISLATION

#### ZONING: DORANS, CHR. BANKSTON BARROSO DE PADILLA BROWN FAVOR REMY HARDIN

#### REZONINGS/AMENDMENTS

##### [3373-2023](#)

To rezone 1160 CAMDEN AVE. (43201), being 12.50± acres located at the eastern terminus of Camden Avenue, From: M, Manufacturing District, To: L-ARLD, Limited Apartment Residential District (Rezoning #Z23-054).

**A motion was made by Rob Dorans, seconded by Mitchell Brown, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

##### [3393-2023](#)

To rezone 3075 S. HIGH ST. (43207), being 19.25± acres located on the west side of South High Street, 1,160± feet south of Southgate Drive, From: R-2, Residential District and CPD, Commercial Planned Development District, To: L-M, Limited Manufacturing District (Rezoning #Z21-093).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this**

**Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3423-2023](#)

To amend Ordinance #2369-2003, passed November 17, 2003 (Z03-068), for property located at 1120 EVANS WAY CT. (43228), formerly addressed as 1116 Evans Way Court (43228), by repealing Sections 1 and 3 and replacing them with new Sections 1 and 3 to include the legal description for this specific property, and to modify the CPD text and plan (Rezoning Amendment #Z03-068A).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3426-2023](#)

To rezone 7450 HUNTINGTON PARK DR. (43235), being 7.39± acres located on the east side of Huntington Park Drive, 480± feet southeast of Horizon Drive, From: CPD, Commercial Planned Development District, To: AR-O, Apartment Office District (Rezoning #Z23-059).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3436-2023](#)

To rezone 6935 HARLEM RD. (43081), being 14.88± acres located on the west side of Harlem Road, 400± feet north of Central College Road, From: R, Rural District, To: AR-1, Apartment Residential District (Rezoning #Z22-095).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3308-2022](#)

To rezone 198 MCNAUGHTEN RD. (43213), being 24.8± acres located on the east side of McNaughten Road, 1,425± feet south of East Broad Street, From: R, Rural District, To: L-AR-12, Limited Apartment Residential District (Rezoning #Z19-043).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Referred to Committee. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**VARIANCES**



[3350-2023](#)

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3349.03, Permitted uses; 3332.13, R-3 area district requirements; 3332.05(A)(4), Area district lot width requirements; 3332.19, Fronting; 3332.27, Rear yard; and 3332.38(F), Private garage, of the Columbus City Codes; for the property located at 1659 FRANKLIN PARK SOUTH (43205), to allow two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District and I, Institutional District, and to repeal Ordinance #2834-95 (CV95-049), passed December 18, 1995 (Council Variance #CV23-066).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3390-2023](#)

To grant a Variance from the provisions of Sections 3312.27, Parking setback line; 3321.05(B)(2), Vision clearance; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 3670 TRABUE RD. (43204), to allow reduced development standards for an apartment complex in the AR-2, Apartment Residential District, and to repeal Ordinance #3417-2022, passed December 12, 2022; CV22-029 (Council Variance #CV23-126).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3398-2023](#)

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3332.18, Basis of computing area; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard, of the Columbus City Codes; for the property located at 30 E. COLUMBUS ST. (43206), to allow three single-unit dwellings on one lot with reduced development standards in the R-2F, Residential District (Council Variance #CV23-033).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Referred to Committee. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3401-2023](#)

To grant a Variance from the provisions of Sections 3332.03, AR-3 residential district; 3312.21(A) and (D)(1), Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(C), Basis of computing area; and 3333.18(F), Building lines, of the Columbus City Codes; for the property located at 1599 OAK ST. (43205), to allow mixed-use development with reduced development standards in the AR-3, Residential District, and to repeal Ordinance #1970-2019 (CV18-104), passed July 29, 2019 (Council Variance #CV23-058).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3410-2023](#)

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49(C), Minimum number of parking spaces required Required parking, of the Columbus City Codes; for the property located at 1600 E. LONG ST. (43203), to allow a community center with an eating and drinking establishment and reduced parking in the R-3, Residential District (Council Variance #CV23-097).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Abstained:** 1 - Shayla Favor

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Abstained:** 1 - Shayla Favor

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Abstained:** 1 - Shayla Favor

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Abstained:** 1 - Shayla Favor

**Affirmative:** 6 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Emmanuel Remy, and Shannon Hardin

[3416-2023](#)

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.25, Maneuvering; 3312.27, Parking setback line; 3332.25, Maximum side yards required; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at 1872 S. PEARL ST. (43207), to allow an automotive maintenance and repair facility with reduced development standards in the R-3, Residential District (Council Variance #CV19-013).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3429-2023](#)

To grant a Variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes; for the property located at 7450 HUNTINGTON PARK DR. (43235), to allow reduced development standards for an apartment complex in the AR-O, Apartment Office District (Council Variance #CV23-119).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

[3435-2023](#)

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3312.49, Minimum number of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(c)(d), Basis of computing area; 3333.18, Building Lines; and 3333.255, Perimeter Yard, for the property located at 359 E. MARKISON AVE. (43207), to permit non-accessory parking and reduced development standards for a multi-unit residential development in the

AR-1, Apartment Residential District, and to repeal Ordinance #0865-2021 (CV20-103), passed April 22, 2021 (Council Variance #CV23-125).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, to Motion to Recess the Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **RECESSED AT 7:41 PM**

**A motion was made by Emmanuel V. Remy, seconded by Rob Dorans, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

## **RECONVENED AT 7:45PM**

### **[3435-2023](#)**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3312.49, Minimum number of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(c)(d), Basis of computing area; 3333.18, Building Lines; and 3333.255, Perimeter Yard, for the property located at 359 E. MARKISON AVE. (43207), to permit non-accessory parking and reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District, and to repeal Ordinance #0865-2021 (CV20-103), passed April 22, 2021 (Council Variance #CV23-125).

**A motion was made by Rob Dorans, seconded by Emmanuel V. Remy, that this**

**Ordinance be Approved. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**3437-2023**

To grant a Variance from the provisions of Sections 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 6935 HARLEM RD. (43081), to allow reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District (Council Variance #CV22-144).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Accept entire staff report into evidence as an exhibit. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, to Adopt the findings of staff as the findings of Council. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Amended as submitted to the Clerk. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Approved as Amended. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**3309-2022**

To grant a Variance from the provisions of Sections 3312.21, Landscaping and screening; 3312.25, Maneuvering; 3312.29, Parking space; 3333.10, AR-12, area district requirements; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 198 MCNAUGHTEN RD. (43213), to permit reduced development standards for an apartment complex in the L-AR-12, Limited Apartment Residential District (Council Variance #CV22-032).

**A motion was made by Rob Dorans, seconded by Nicholas Bankston, that this Ordinance be Referred to Committee. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**ADJOURNMENT**

**A motion was made by Emmanuel V. Remy, seconded by Rob Dorans, to**

**adjourn this Regular Meeting. The motion carried by the following vote:**

**Affirmative:** 7 - Nicholas Bankston, Lourdes Barroso De Padilla, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel Remy, and Shannon Hardin

**ADJOURNED AT 7:47 PM**

# **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:** 0217X-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter:** Resolution

**Type:**

**Background:** Following a petition submitted by Crown Pointe LLC to satisfy their respective commitments of the “Big Darby Revenue Program” established by Resolution 0216X-2008 for their property near the northwest corner of West Broad Street and Doherty Road, a new community authority under R.C. Chapter 349 was established pursuant to Resolution 0060X-2021 and Resolution 0242X-2021 (the “Big Darby West Broad Street NCA”). Resolution 0182X-2022 and Resolution 0226X-2022 approved a prior expansion of the Big Darby West Broad Street NCA to include territory near the southeast corner of the intersection of West Broad Street and Alton Darby Creek Road to fulfill another developer’s obligations to the Big Darby Revenue Program.

Ordinance 2636-2022 then rezoned ±42.22 acres of additional property along the east side of Alton Darby Creek Road north of West Broad Street located at approximately 400 Alton Darby Creek Road and identified as tax parcel ID 470-318353 (the “Developer Property”) owned by Redwood Galloway Alton Darby Creek Road OH P1 LLC (the “Owner”). Pursuant to Ordinance 1501-2023, the City and the Owner entered into the Big Darby - Redwood Farms Development Agreement dated July 28, 2023 to include their pledge to add the Developer Property to the Big Darby West Broad Street NCA and the Big Darby Revenue Program.

On October 2, 2023, an application for the Written Consent to Add Property to the Big Darby West Broad Street NCA (the “Consent”) was filed by the Owner with the Clerk of Council. Pursuant to Resolution 0188X-2023, Council, as the organizational board of commissioners described and required by R.C. Chapter 349, determined the sufficiency of the Consent and authorized public notices for a public hearing about the Consent held on November 8, 2023.

This resolution authorizes the expansion of and defines the boundaries of the Big Darby West Broad Street NCA’s new community district to also include the Developer Property. This resolution also certifies that the public hearing was held in compliance with the requirements of R.C. Chapter 349.

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

To approve the expansion and define the boundaries of the new community district for the Big Darby West Broad Street New Community Authority by inclusion of tax parcel ID 470-318353 owned by Redwood Galloway Alton Darby Creek Road OH P1 LLC with the original territory; and to certify compliance of the requirements for the public hearing on the expansion.

**WHEREAS,** Redwood Galloway Alton Darby Creek Road OH P1 LLC (the “Owner”) plans to cause the development of 217 multi-family single-story apartment homes on its ±42.22-acre site located along the east side of Alton Darby Creek Road north of West Broad Street and identified as tax parcel ID 470-318353 (as depicted on Exhibit A attached hereto, the “Developer Property”) within the municipal corporate boundaries of the City

of Columbus, Ohio pursuant to Ordinance 2636-2022 rezoning the Developer Property; and

**WHEREAS**, Ordinance 1501-2023 authorized the City and the Owner to enter into the Big Darby - Redwood Development Agreement dated July 28, 2023 (the “Big Darby Agreement”) to outline the plans and respective commitments of the Developer Property fulfilling the revenue program requirements required by Resolution 0216X-2008 (the “Big Darby Revenue Program”); and

**WHEREAS**, the Big Darby Revenue Program and the Big Darby Agreement require including the Developer Property in a new community district of a new community authority pursuant to Ohio Revised Code (“R.C.”) Chapter 349; and

**WHEREAS**, on April 7, 2021, Crown Pointe LLC (since assigned and assumed by Metro Development, LLC pursuant to Ordinance 1291-2022, the “Developer”) submitted to the Clerk of Council pursuant to R.C. Section 349.03 a Petition for Establishment of the Big Darby West Broad Street New Community Authority under R.C. Chapter 349 (the “Petition”); and

**WHEREAS**, the property described in the Petition encompassing tax parcel ID 570-184818 owned by Crown Pointe LLC (the “Original Community District”) is located entirely within the municipal corporate boundaries of the City and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of the Petition in accordance with R.C. Chapter 349; and

**WHEREAS**, on April 26, 2021, pursuant to R.C. Section 349.03, Council adopted Resolution 0060X-2021, which determined that the Petition was sufficient and complied with the requirements of R.C. Section 349.03 in form and substance; and

**WHEREAS**, pursuant to Resolution 0242X-2021 adopted by Council on December 13, 2021, a new community authority with the corporate name designated in the Petition (such name being, the “Big Darby West Broad Street New Community Authority”) was organized as a body politic and corporate for the Original Community District; and

**WHEREAS**, on September 9, 2022, applications for the Written Consent to Add Property to the Big Darby West Broad Street NCA (the “Applications”) were filed by GMT Property Holdings LLC, Rock Capital Holdings LLC, and Darby Crossing Apartments LP with the Clerk of Council for what is now tax parcel IDs 010-256886, 010-318742, 010-306518, and 010-306519 (the “Expansion Area” and together with the Original Community District, the “Big Darby West Broad Street New Community District” as depicted on Exhibit A attached hereto); and

**WHEREAS**, Council adopted Resolution 0182X-2022 and Resolution 0226X-2022 to approve the sufficiency of the Applications, notice the public, and hold a hearing on the Applications, and to add the Expansion Area thereunder to the Big Darby West Broad Street New Community District; and

**WHEREAS**, on October 2, 2023, another application for the Written Consent to Add Property to the Big Darby West Broad Street NCA (the “Consent”) for the Developer Property was filed by the Owner with the Clerk of Council; and

**WHEREAS**, Council adopted Resolution 0188X-2023 on October 16, 2023 and determined that the Consent complied with the requirements of R.C. Section 349.03(B) as to form and substance and fixed the time and

place of a hearing for the Consent on November 8, 2023 after public notice was duly published in accordance with R.C. Section 349.03(A); and

**WHEREAS**, the Department of Development certifies to Council that the public hearing was held as advertised as attested on the Certificate of Compliance with the Public Hearing Requirements attached hereto as Exhibit B (the “Certification”); **NOW, THEREFORE**,

**BE IT RESOLVED by the Council of the City of Columbus:**

**SECTION 1.** That this Council finds and determines that it is the “organizational board of commissioners” for the Big Darby West Broad Street New Community Authority, and the City of Columbus is the only “proximate city” with respect to the Big Darby West Broad Street New Community Authority, the Big Darby West Broad Street New Community District, and the Developer Property for purposes of R.C. Chapter 349.

**SECTION 2.** That this Council further finds and determines that the Owner has consented to the inclusion of the Developer Property in the Big Darby West Broad Street New Community District, the statutory developer of the Big Darby West Broad Street New Community Authority that signed the Petition has not filed a written objection with the Clerk of Council, and the Consent is hereby accepted and shall be recorded, along with this Resolution, in the journal of the City Council, pursuant to R.C. Section 349.03.

**SECTION 3.** That this Council further finds and determines pursuant to R.C. Section 349.03 that the expansion of the Big Darby West Broad Street New Community District including the Developer Property will be conducive to the public health, safety, convenience, and welfare, will be consistent with the development of the Big Darby West Broad Street New Community Authority’s “new community,” as described in R.C. Section 349.01(A), will not jeopardize the plan of that new community, and is intended to result in the development of the new community; and defines the boundaries of the Big Darby West Broad Street New Community District to now also include the Developer Property boundaries and those boundaries of the Big Darby West Broad Street Community District as described in the Petition and Resolution 0226X-2022 as collectively depicted on Exhibit A attached hereto.

**SECTION 4.** That this Council finds and determines that the public hearing was held as advertised as attested by the Department of Development on the Certification.

**SECTION 5.** That this resolution shall take effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 0223X-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Resolution

**Type:**

**BACKGROUND:** The City’s Department of Public Service (“DPS”) is performing the Westbourne Avenue Extension Project (P531037-100000) (“Public Project”). The City must acquire certain fee simple title and

lesser real estate located in the vicinity of Westbourne Avenue from approximately 600 feet west of Taylor Station Road to Blossom Field Boulevard (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Number 3317-2022 authorizing the City Attorney to acquire the Real Estate. Accordingly, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate in order to complete the Westbourne Avenue Extension Project (Project No. 531037-100000). (\$0.00)

**WHEREAS**, the City intends to improve certain public right-of-way by allowing the Department of Public Service ("DPS") to engage in the Westbourne Avenue Extension Project (Project No. 531037-100000) ("Public Project"); and

**WHEREAS**, the City intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located in the vicinity of Westbourne Avenue from approximately 600 feet west of Taylor Station Road to Blossom Field Boulevard ("Real Estate") in order to complete the Public Project; and

**WHEREAS**, the City intends for the Real Estate's acquisition to help make, improve, or repair certain portions of public right-of-way and associated appurtenances which will be open to the public without charge; and

**WHEREAS**, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation; **NOW, THEREFORE**,

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

**SECTION 1.** That the City, pursuant to the City's Charter, Columbus City Codes, Chapter 909, Constitution of the State of Ohio, and Ohio Revised Code, Chapter 719, declares the necessity and intent to appropriate and accept the fee simple title and lesser real estate to the following listed parcels ("Real Estate"), which are fully described in their associated exhibits and incorporated into this resolution for reference, in order for the Department of Public Service ("DPS") to complete the Westbourne Avenue Extension Project (Project No. 531037-100000) ("Public Project").

**(Exhibit) ... (Public Project Parcel Identification) ..... (Real Estate)**

- 1) 8-T (24 Month Temporary Easement)**

**SECTION 2.** That the City Attorney is authorized to cause a written notice of this resolution's adoption to be served in the manner provided by law upon the owner(s), person(s) in possession, or person(s) possessing a real or possible real property interest of record in the Real Estate.

**SECTION 3.** That the Real Estate’s acquisition will help make, improve, or repair certain portions of public right-of-way and associated appurtenances which will be open to the public without charge.

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

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**Legislation Number:** 0241X-2023

**Drafting Date:** 12/4/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

To Recognize and Celebrate the Grand Opening of Bakaro International Grocery  
WHEREAS, Bakaro International Grocery is dedicated to providing the community with easy access to a wide range of cultural foods, focusing on East African and West African cuisine; and

WHEREAS, their commitment to offering Halal food ensures that the Muslim community can find essential ingredients, especially during Ramadan; and

WHEREAS, Bakaro International Grocery aims to celebrate and promote cultural diversity, and break food insecurity by ensuring accessibility to culturally significant, authentic East African and West African foods; and

WHEREAS, Bakaro International Grocery’s goal is to contribute to the community's well-being by addressing food insecurity through the availability of essential ingredients; and

WHEREAS, Bakaro International Grocery aims to build sustainable partnerships with local suppliers and producers to support community-driven initiatives; while also exploring opportunities for potential investors and stakeholders to contribute to their mission and grow together; and

WHEREAS, they are committed to engaging with the local community to foster mutually beneficial relationships and create a positive social impact; now, therefore

BE IT RESOLVED BY COUNCIL OF THE CITY OF COLUMBUS: That this Council hereby recognizes Bakaro International Grocery for their grand opening and its future impact on the Columbus community.

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**Legislation Number:** 0242X-2023

**Drafting Date:** 12/7/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

To Celebrate the Work of Shellee Fisher and Recognize her Contributions to the City of Columbus  
**WHEREAS**, Shellee Fisher is the Owner and Lead Photographer of Shellee Fisher Photography & Design, a company she founded in January 2008; and,

**WHEREAS**, her work is known to capture the essence of a situation, the emotions of people, and telling the story, with an emphasis on documenting activities and their relationships to the environment; and,

**WHEREAS**, her clientele includes the City of Columbus, Huntington Bank, L Brands, Cardinal Health, Macy’s,

Nationwide Insurance, The Ohio State University, PNC Bank, among many more; and,

**WHEREAS**, Shellee Fisher Photography & Design is certified as a Minority Business Enterprise with the Ohio Minority Supplier Development Council, State of Ohio, City of Columbus, and certified as Woman Business Enterprise certified by the Women’s Business Enterprise National Council; and,

**WHEREAS**, Shellee Fisher Photography & Design has been recognized numerous times for its stellar work, including being named as a 2017 Small Business Administration’s Home-Based Business of the Year and as a 2016 Women Business Enterprise Supplier of the Year by the Ohio River Valley Women Business Council; and,

**WHEREAS**, Shellee Fisher’s work has deeply impacted the City of Columbus, having provided many services to the City in the past, each at high caliber of quality; now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:** That this Council hereby celebrates the work of Shellee Fisher and expresses its gratitude for the services she has provided in the past;

**BE IT FURTHER RESOLVED THAT:** This Council does hereby extends its deepest well-wishes to Shellee Fisher as she embarks on a new chapter in her life.

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**Legislation Number:** 0243X-2023

**Drafting Date:** 12/7/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ceremonial Resolution

To Celebrate the Second Year Anniversary of Opportunity Port

**WHEREAS**, Opportunity Port is a record sealing and expungement application assistance program managed by The Ohio State University Drug Enforcement and Policy Center aimed at removing barriers to record relief and improving opportunities for justice involved residents of Columbus; and

**WHEREAS**, an estimated 1 in 3 Ohio residents has a criminal record and the collateral consequences stemming from criminal records present significant economic and social barriers to resources and opportunities such as housing, employment, education, and professional licensing; and

**WHEREAS**, people of color are disproportionately impacted by criminal records as a result of systemic racism, the consequences of which contribute significantly to racial inequity; and

**WHEREAS**, research from the University of Michigan has shown that record sealing improves earnings and lowers the chance of re-arrest; and

**WHEREAS**, Opportunity Port began as a Columbus City Council criminal justice initiative, was awarded funding by Schmidt Futures, and moved to the Drug Enforcement and Policy Center in July 2021 where it continued to develop; and

**WHEREAS**, Opportunity Port’s legal service providers are the Drug Enforcement and Policy Center, the Legal Aid Society of Columbus, Equality Ohio, and the Franklin County Municipal Court Self Help Center, who together assisted 527 Columbus residents with completing and filing record sealing and expungement applications to Franklin County courts; and

**WHEREAS**, Opportunity Port continues to build on its success and has recently launched services statewide to provide record sealing and expungement application assistance to all justice involved residents of Ohio who are seeking relief from their criminal record; and

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

That this Council celebrates the two year anniversary of Opportunity Port.

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**Legislation Number:** 0246X-2023

**Drafting Date:** 12/7/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

To recognize and celebrate Columbus Recreation and Parks Department’s Accreditation from The National Park and Recreation Association’s (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA).

**WHEREAS**, The National Park and Recreation Association’s (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA) delivers quality assurance and improvement to accredited park and recreation departments throughout the United States by helping them build a comprehensive management system of operational best practices; and

**WHEREAS**, this system improves their infrastructures; increases efficiency in all activities; and demonstrates accountability within their communities; and

**WHEREAS**, CAPRA is the only national accreditation of park and recreation departments and is a valuable measure of a department’s overall quality of operation, management, and service to the community; achieving CAPRA accreditation demonstrates that the department and its staff provide the community with the highest level of service; and

**WHEREAS**, agencies are reaccredited every 5 years, ensuring a long-term commitment to excellence; and

**WHEREAS**, only 6 percent of agencies have earned accreditation, placing Columbus Recreation and Parks in an elite group; and

**WHEREAS**, accreditation is a rigorous process; the team who worked on pulling together the submission spent countless hours, in addition to keeping their work moving; and

**WHEREAS**, the department earned this accreditation for the residents of Columbus - they deserve access to the best in programs, facilities and staff; and

**WHEREAS**, recreation and parks services enhance the quality of life in our community, and this honor recognizes the hard work and dedication of our staff, who come in every day and give their best to serve the

residents of Columbus; the staff is among the best in the industry; now, therefore

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:** That this council does hereby recognize and celebrate Columbus Recreation and Parks Department’s Accreditation from The National Park and Recreation Association’s Commission for Accreditation of Park and Recreation Agencies and express gratitude to all CRPD staff for the outstanding service to the residents of Columbus, Ohio.

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**Legislation Number:** 0247X-2023

**Drafting Date:** 12/8/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

To Recognize and Celebrate Ken Paul and his Contribution to the City of Columbus.

**WHEREAS,** Chief Kenneth C. Paul became involved in state and local government in Central Ohio after he moved to the City of Columbus in 1999 to serve as a Legislative Aide to State Senator Mark Mallory; and

**WHEREAS,** Ken proudly graduated from the Ohio University with a degree in Political Science and later earned his MBA from Franklin University; and

**WHEREAS,** He is a graduate of Leadership Columbus, Class of 2008 and was named to the “Forty under 40” Class of 2016 by Columbus Business First; and

**WHEREAS,** Ken Paul served as a leader at City Hall since 2007 when he began his work as Chief of Staff to City Council President Andrew J. Ginther; and

**WHEREAS,** In November 2018, Ken was appointed Chief of Staff by Mayor Andrew J. Ginther, taking on the enormous task of leading the day-to-day operations of the Office of the Mayor, running the mayor’s cabinet, and overseeing the City’s operating and capital budgets; and

**WHEREAS,** Ken helped craft and launch the Mayor’s Equity Agenda and many programs to lift up residents and build a more resilient city; and

**WHEREAS,** Ken served as a trusted political advisor for the mayor’s re-election campaigns as well as those of other regional candidates; and

**WHEREAS,** Ken helped calmly guide the City’s response to a global pandemic and a national reckoning over racism and community-police relations; and

**WHEREAS,** Ken’s many roles and service on boards and commissions are often not in the civic spotlight, but still make deep impact through his thoughtful, patient management, including running a City with nearly 9,000 employees over 224 square miles, with billions of dollars spent annually on infrastructure and neighborhood services. In these roles, we must applaud his personal efforts to advance historic police reforms, including amending the City Charter to establish a Civilian Police Review Board and Inspector General; and

**WHEREAS,** During the time Ken has served Mayor Ginther, Columbus became America’s 14th largest city and the fastest growing city in the Midwest in the last decade; and



**WHEREAS**, Ken Paul will be missed by friends, allies and colleagues throughout Columbus City Hall as he continues his years of public service leading the Franklin County Convention Facilities Authority; now, therefore

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

That this Council does hereby recognize and celebrates Ken Paul and his contributions to the City of Columbus.

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**Legislation Number:** 0248X-2023

**Drafting Date:** 12/11/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ceremonial Resolution

**Type:**

To recognize and honor The Columbus Crew on winning their third MLS Cup

WHEREAS, Columbus Crew is one of the initial teams in the league’s first season in 1996 and has won six major titles including the MLS title in 2008 and 2020 and,

WHEREAS, The Columbus Crew has shown that it has a larger number of supporters, including saving the Crew from relocating in 2018 and,

WHEREAS, The Major League Soccer title win against Los Angeles FC, marked the first finals game that the Columbus Crew hosted at the new Lowe.com stadium and,

WHEREAS, With a win of 2 - 1 over the Los Angeles FC, this make two MLS Cups in three years;

WHEREAS, The Columbus Crew is vital to the economic and cultural fabric of our city;

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS :** Recognize and honor The Columbus Crew on winning their third MLS Cup and becoming MLS Champions once again.

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**Legislation Number:** 1374-2022

**Drafting Date:** 5/6/2022

**Current Status:** Passed

**Version:** 2

**Matter** Ordinance

**Type:**

**BACKGROUND:**

Columbus City Codes Section 2329.11, “Community Noise,” was originally enacted in 2001 and has been subsequently amended over time. In its current form, it has two parts: (1) it outlines permissible sound levels for zoning districts, and (2) it prohibits “unreasonably loud and/or raucous noise,” including specific limitations for the operation of any sound amplification system, auditory device, or stationary sound sources. A number of provisions in Section 2329.11 pre-date the significant population growth and development in Columbus’s urban core. Mixed-use development has increased demand for housing is growing.

Specifically, areas such as the Short North, Franklinton, University District, and Downtown have seen unprecedented growth in both commercial and residential properties. Noise is often cited by residents as one of

the biggest issues impacting their quality of life. There is a need to modernize and improve Section 2329.11 to better hold non-residential properties accountable, to bring clarity to internal processes, and to enhance the ability to enforce new and existing provisions. The amendments incorporated in this Ordinance focus on increasing accountability for the production of unreasonably loud and raucous noise and streamlines the permitting and enforcement processes used by City departments to ensure compliance, ultimately improving the quality of life for Columbus residents.

The amendments to this section include:

1. Prohibiting the operation of any sound amplification system, auditory device, or stationary sound source from a non-residential property that is audible at the property line of a residential unit 100 feet from the property line of said non-residential property between the hours of 10:00pm-7:00am
2. Introduce the Department of Building & Zoning Services as a city agency that can enforce the provisions of this section.
3. Addition of a civil penalty option for commercial (or other non-residential) property owners that violate the prohibited sounds section.
4. Eliminating a prohibited sounds variance, while improving permitting process to allow for special events and programming
5. Allowing continued current use of certain land use operations that existed previously to a zoning change of an adjoining property (e.g. manufacturing)
6. Extends liability for violating this section in certain situations from an individual to an organization or business

To amend section 2329.11 of the Columbus City Codes pertaining to community noise; to include certain prohibitions of unreasonably loud and raucous noise from non-residential properties, to allow the Department of Building and Zoning Services to enforce provisions, and to include a civil penalty option as an available remedy; and to repeal existing section 2329.11.

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**Legislation Number:** 1399-2023

**Drafting Date:** 5/4/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-270-1.52 project, PID 105498.

The aforementioned effort, which is slated to commence in the summer of 2024, encompasses various improvements including replacing the deck of bridge structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270), widening the bridge on Gantz Road to accommodate a shared use path, and providing space and grading for a future sidewalk on McComb Road.

ODOT will ask the City to approve final legislation for the project at a later date. At that time, the Director of Public Service shall seek Council approval to encumber and expend funds to support the local share of associated construction costs.

## 2. FISCAL IMPACT

The local share of construction costs has yet to be determined as the preliminary cost estimate is still being finalized. Legislation authorizing the requisite payment to ODOT shall be authorized under a separate ordinance at a later time.

## 3. EMERGENCY DESIGNATION

This legislation is being put forth as an emergency measure at the request of ODOT, which has set a deadline of January 1, 2024, for receipt of a certified copy of this legislation.

To authorize the Director of the Department of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation relative to the FRA-270-1.52 project, PID 105498; and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) is administering the FRA-270-1.52 project, PID 105498, which encompasses various improvements including replacing the deck of bridge structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270), widening the bridge on Gantz Road to accommodate a shared use path, and providing space and grading for a future sidewalk on McComb Road; and

**WHEREAS**, a portion of the aforementioned project is located within the corporate boundaries of Columbus; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to grant consent and to agree to cooperate with ODOT relative to the FRA-270-1.52 project, PID 105498; 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 and cooperation for this project in order to expedite the project and to promote highway safety, thereby preserving the public health, peace, property, safety and welfare; **now, therefore,**

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

That the following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION 1 - PROJECT DESCRIPTION**

WHEREAS, the STATE has identified the need for the described project:

ODOT project to replace the deck of structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270). The work on the Gantz Road Bridge also includes widening to accommodate a shared use path, along with other associated work within City limits. The work on McComb Road includes providing grading and space for a future sidewalk, along with other associated work within City limits.

**SECTION 2 - CONSENT STATEMENT**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION 3 - COOPERATION STATEMENT**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA agrees to participate in the cost of widening the Gantz Road Bridge and to bear the cost difference associated with expanding the sidewalk into a shared use path. The LPA will use ODOT Safety Funds toward these costs. The LPA understands that State anticipates receiving a funding contribution from a second local public agency for this project.

The LPA further agrees to participate the cost associated with widening the approach embankment at McComb Road. The LPA will use ODOT Safety Funds toward this cost.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

#### **SECTION 4 - MAINTENANCE**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the north approach of McComb Road 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 north approach of McComb Road; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

#### **SECTION 5 - AUTHORITY TO SIGN**

The Director of Public Service of said City of Columbus is hereby empowered on behalf of the City of Columbus to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the Director of Public Service is also empowered to assign all rights, title, and interests of the City of Columbus to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

#### **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

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**Legislation Number:** 1883-2023

**Drafting Date:** 6/16/2023

**Current Status:** Passed

This legislation authorizes the Director of Public Utilities to renew an existing contract for liquid land application of biosolids with regional storage services with Synagro Central, LLC. This contract provides for the application of sewage sludge for agricultural purposes at the Division of Sewerage and Drainage (DOSD) Compost Facility and Southerly and Jackson Pike Wastewater Treatment Plants. The work generally shall include agronomic land application of up to 10% total solids (TS) liquid biosolids, tank pumping and cleaning services, and the transport of 25% TS dewatered biosolids cake. The Contractor is responsible for professional management of the program, which includes preparing site authorization requests, samples, daily activity reports, weekly progress reports, and invoices and submitting this information to the City’s Project Manager.

The Department of Public Utilities solicited a Request for Proposals (RFP) in accordance with the relevant provisions of Chapter 329 of City Code relating to professional service contracts (Solicitation SA003857). Two hundred forty-seven (247) vendors were solicited and two proposals were received and opened on April 15, 2011. Discussions and negotiations with the selected firm resulted in the award of the contract to Synagro Central, LLC.

The original contract (Ordinance 2893-2015) was in effect for one (1) year to and including August 4, 2016. The contract language allows the Department of Public Utilities to extend the contract for nine (9) additional years, on a year-to-year basis, contingent upon mutual agreement of the parties, availability of budgeted funds, and approval of City Council. This will be the 11th renewal of the contract and will extend the contract term to and including August 4, 2024. If unforeseen issues or difficulties are encountered that require additional funding, a modification would be requested.

Original Contract - \$400,000.00 (EL017367)	Ord 1279-2015
Modification #1 - \$451,108.00 (PO001692)	Ord 2893-2015
Modification #2 - \$800,000.00 (PO025699)	Ord 0768-2016
Modification #3 - \$800,000.00 (PO074762)	Ord 2031-2017
Renewal #4 - \$400,000.00 (PO134953)	Ord 1438-2018
Renewal #5 - \$400,000.00 (PO175740)	Ord 1077-2019
Renewal #6 - \$400,000.00 (PO203539)	Ord 2505-2019
Renewal #7 - \$150,000.00 (PO220569)	Ord 3019-2019
Renewal #8 - \$800,000.00 (PO230320)	Ord 0797-2020
Renewal #9 - \$800,000.00 (PO291895)	Ord 1648-2021
Renewal #10 - \$800,000.00 (PO335982)	Ord 1507-2022
Renewal #11 - \$400,000.00 (Pending)	

1. Amount of additional funds: Total amount of additional funds needed for this contract renewal #11 is ADD \$400,000.00. Total contract amount to date including this modification is \$6,601,108.00.
2. Reasons additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. This renewal is to provide the additional funding necessary for the payment of services to be provided through August 4, 2023.
3. Reason other procurement processes were not used: Work under this renewal is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How cost was determined: The cost, terms, and conditions are in accordance with the original agreement.

**SUPPLIER:**

Synagro Central LLC | Federal EIN 76-0612568 | D365 Vendor #010213 | Expires 5/11/2025  
Synagro Central LLC does not hold MBE/WBE status.

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:**

\$400,000.00 is budgeted and needed for this contract renewal.

\$172,676.97 has been spent in 2023  
\$332,038.16 was spent in 2022  
\$795,907.68 was spent in 2021

To authorize the Director of Public Utilities to renew the contract with Synagro Central, LLC to provide liquid land application of biosolids with regional storage services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$400,000.00 from the Sewer Operating Sanitary Fund; and to declare an emergency (\$400,000.00)

**WHEREAS**, the Department of Public Utilities has a contract with Synagro Central, LLC to provide liquid land application of biosolids with regional storage services for the Division of Sewerage and Drainage, specifically, agronomic land application of up to 10% total solids (TS) liquid biosolids, tank pumping and cleaning services, and the transport of 25% TS dewatered biosolids cake; and

**WHEREAS**, the Department of Public Utilities solicited a Request for Proposals (Solicitation SA003857) in accordance with the relevant provisions of Chapter 329 of the City Code relating to professional service contracts and two proposals were received and opened on April 15, 2011; and

**WHEREAS**, discussions and negotiations with the selected firm resulted in the award of the contract to Synagro Central, LLC; and

**WHEREAS**, the term of the contract was for a period of one (1) year from the date of execution by the City of Columbus and allows for nine (9) one (1) year extensions on a year-to-year basis; and

**WHEREAS**, the contract shall not automatically renew and future year funding is contingent upon mutual agreement of the parties, availability of budgeted funds, and approval of City Council; and

**WHEREAS**, the contract is utilized by the Southerly Wastewater Treatment Plant, Jackson Pike Wastewater

Treatment Plant, and the Compost Facility; and

**WHEREAS**, the Department of Public Utilities wishes to renew the contract with Synagro Central, LLC to extend the term to and including August 4, 2024 and provide the funding necessary for the provision of services through this date; and

**WHEREAS**, the expenditure of \$400,000.00, or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes in the attachment to this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the Director of Public Utilities to renew the contract with Synagro Central, LLC for liquid land application of biosolids with regional storage services, without delay, to provide uninterrupted services for liquid land application of biosolids; now, therefore

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to renew contract #EL017367 with Synagro Central, LLC, 435 Williams Court, Suite 100, Baltimore, MD 21220, for liquid land application of biosolids with regional storage services for the Division of Sewerage and Drainage at its Compost Facility and Southerly and Jackson Pike Wastewater Treatment Plants. Total amount of renewal #10 is ADD \$400,000.00. Total contract amount to date including this renewal is \$6,601,108.00

**SECTION 2.** That this renewal is in accordance with the relevant provisions of Chapter 329 of City Code relating to contract renewals.

**SECTION 3.** That the expenditure of \$400,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 2476-2023

**Drafting Date:** 8/28/2023

**Current Status:** Passed

Version: 1

Matter Ordinance  
Type:

This legislation authorizes the Director of Public Utilities to enter into a grant agreement with the Mid-Ohio Regional Planning Commission (MORPC) to provide funding and support for the 2023 MORPC Water Resources Program and the City Auditor to transfer funds within the Sanitary Sewer, Water, and Stormwater Operating Funds to support this expense. The Program supports regional water resources protection by promoting regional collaboration among water and wastewater utilities, watershed and other environmental groups, and agricultural and rural communities. The fund transfer is needed because funds were budgeted to object class 03, Professional Services, but must be coded to object class, 05, Other Expenditures, per recent guidance on City-provided grants to nonprofit organizations.

Most of the funding will support the Program’s Sustaining Scioto board and working group and associated activities. Funded tasks will establish the board’s roadmap and key performance indicators (KPIs), promote the implementation of structural and nonstructural best management practices within the agricultural community, and sustain partnerships on water quality monitoring.

Other activities these funds will support include plan development and support for water resources protection and infrastructure planning needs through the development and identification of relevant climate data, tools, and resources; updating MORPC’s green infrastructure toolkit; education, outreach, and on-going communications and engagement support; and the planning and development of Riverfest and the Summit on Sustainability.

The term of the program is January 1, 2023 through December 31, 2023.

**SUPPLIER:**

Mid-Ohio Regional Planning Commission | D365 Vendor #004591 | Federal EIN on file | Expires 3/25/2024

MORPC is a nonprofit institution and does not hold MBE/WBE status.

MORPC 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:**

\$60,000.00 is budgeted and available for this expense across the Sanitary Sewer, Water, and Stormwater Operating Funds.

\$60,000.00 has been spent in 2023

\$60,000.00 was spent in 2022

\$0.00 was spent in 2021

To authorize the Director of the Department of Public Utilities to enter into a grant agreement with the Mid-Ohio Regional Planning Commission to provide funding and support for the 2023 Water Resources Program; to authorize the expenditure of \$60,000.00 split among the Sanitary Sewer, Water, and Stormwater



Operating Funds; and to authorize the City Auditor to transfer funds between object classes within each of those funds to support this expense. (\$60,000.00)

**WHEREAS**, the Department of Public Utilities (DPU) wishes to enter into a grant agreement with the Mid-Ohio Regional Planning Commission (MORPC) to provide funding and support for the 2023 MORPC Water Resources Program; and

**WHEREAS**, DPU has a need to transfer a total of \$60,000.00 between Object Classes within the Sanitary Sewer, Water, and Stormwater Operating Funds; and

**WHEREAS**, Funds for program were budgeted and are available in Object Class 03 (Professional Services) in each of the respective funds; and

**WHEREAS**, the Water Resources Program supports regional water resources protection by promoting regional collaboration among water and wastewater utilities, watershed and other environmental groups, and agricultural and rural communities, and DPU has previously provided funding support; and

**WHEREAS**, the term of this contract is from January 1, 2023 through December 31, 2023; and

**WHEREAS**, the expenditure of \$60,000.00 or so much thereof as may be needed, is hereby authorized from object class 05, Other Expenditures, split among the Water, Sanitary Sewer, and Stormwater Operating Funds, per the accounting codes attached to this ordinance; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director of the Department of Public Utilities to enter into a grant agreement with the Mid-Ohio Regional Planning Commission (MORPC) to provide funding and support for the 2023 MORPC Water Resources Program and to authorize the City Auditor to transfer appropriation between object classes within the Sanitary Sewer, Water, and Stormwater Operating Funds to support this agreement; **NOW, THEREFORE**,

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

**SECTION 1.** That the transfer of \$60,000.00 or so much thereof as may be needed, is hereby authorized between Object Classes within Fund 6000, Water Operating Fund, Fund 6100, Sanitary Sewer Operating Fund, and Fund 6200, Stormwater Operating Fund, per the accounting codes attached to this ordinance.

**SECTION 2.** That the Director of the Department of Public Utilities is hereby authorized to enter into a grant agreement with the Mid-Ohio Regional Planning Commission, 111 Liberty St. Ste 100, Columbus, OH 43215, to provide funding and support for the 2023 MORPC Water Resources Program.

**SECTION 3.** That the expenditure of \$60,000.00 or so much thereof as may be needed, is hereby authorized from object class 05, Other Expenditures, split among the Water, Sanitary Sewer, and Stormwater Operating Funds, per the accounting codes attached to this ordinance.

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

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**Legislation Number:** 2602-2023

**Drafting Date:** 9/8/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The Columbus Department of Development is proposing to enter into a dual-rate Jobs Growth Incentive Agreement with Wells Fargo Bank, N.A. in an amount equal to (i) twenty-five percent (25%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents at the end of each calendar year, both for a term up to five (5) consecutive years.

Henry Wells and William G. Fargo and other investors founded Wells Fargo Bank, N.A. (“Wells Fargo”) on March 18, 1852. Headquartered in San Francisco, California, the company built an innovative start-up to help customers build businesses and manage money in a rapidly changing world, and to handle the banking and express business prompted by the California Gold Rush. The two partners used their hands-on experience making deliveries of money and valuables by steamboat and stagecoach to develop a network of offices from California to New York and around the world. Across time, and in every generation, Wells Fargo has continued helping customers go further by providing innovative financial services to help them get ahead. Through expansion and acquisitions, Wells Fargo has since grown into one of the nation’s leading financial services companies providing banking, insurance, trust and investments, mortgage banking, investment banking, retail banking, brokerage services and consumer and commercial finance.

Wells Fargo is proposing to invest a total project cost of approximately \$3,250,000.00, which includes \$1,250,000.00 in machinery and equipment, and \$2,000,000.00 in furniture and fixtures to establish a new Technology Center. With this investment, the company proposes to enter into a lease agreement on a vacant commercial office facility consisting of approximately 67,816 square feet at 3075 Loyalty Circle, Columbus, Ohio 43219, parcel numbers 010-294812 and 010-295705 (the “**Project Site**”). The proposed project will allow Wells Fargo to expand into the Columbus region by creating 350 net new full-time permanent positions with a cumulative associated estimated annual payroll of approximately \$43,750,000.00 at the proposed **Project Site**.

This legislation is presented as 30-day legislation.

**FISCAL IMPACT:** No funding is required for this legislation

To authorize the Director of the Department of Development to enter into a dual-rate Jobs Growth Incentive Agreement with Wells Fargo Bank, N.A. for a term of up to five (5) consecutive years in consideration of the company's proposed total capital investment of \$3,250,000.00 and the creation of 350 net new full-time permanent positions with an estimated annual payroll of approximately \$43,750,000.00.

**WHEREAS**, the City desires to increase employment opportunities and encourage the creation of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

**WHEREAS**, the Department of Development received a completed Jobs Growth Incentive Application from Wells Fargo Bank, N.A.; and

**WHEREAS**, Henry Wells and William G. Fargo and other investors founded Wells Fargo Bank, N.A. ("Wells Fargo") on March 18, 1852. Headquartered in San Francisco, California, the company built an innovative start-up to help customers build businesses and manage money in a rapidly changing world, and to handle the banking and express business prompted by the California Gold Rush. Through expansion and acquisitions, Wells Fargo has since grown into one of the nation's leading financial services companies providing banking, insurance, trust and investments, mortgage banking, investment banking, retail banking, brokerage services and consumer and commercial finance; and

**WHEREAS**, Wells Fargo proposes to invest a total project cost of approximately \$3,250,000.00, which includes \$1,250,000.00 in machinery and equipment, and \$2,000,000.00 in furniture and fixtures to establish a new Technology Center at Easton Town Center. The company proposes to enter into a lease agreement on a vacant commercial space consisting of approximately 67,816 square feet at 3075 Loyalty Circle, Columbus, Ohio 43219, parcel numbers 010-294812 and 010-295705 (the "**Project Site**"); and

**WHEREAS**, Wells Fargo proposes to create 350 net new full-time permanent positions with an estimated associated annual payroll of approximately \$43,750,000.00 at the proposed **Project Site**; and

**WHEREAS**, Wells Fargo has indicated that a Jobs Growth Incentive is crucial to its decision to establish Technology Center operations within the City of Columbus; and

**WHEREAS**, the City of Columbus desires to facilitate the future growth of Wells Fargo at the proposed **Project Site** by providing a Jobs Growth Incentive; **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 dual-rate Jobs Growth Incentive Agreement with Wells Fargo Bank, N.A. equal to (i) twenty-five percent (25%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents at the end of each calendar year, both for a term up to five (5) consecutive years.

**SECTION 2.** That, should Wells Fargo Bank, N.A. not be able to sufficiently document residency for an

employee associated with this project during a calendar year of the term of the agreement, the default rate of the Jobs Growth Incentive to be applied that calendar year for that new employee shall be twenty-five percent (25%).

**SECTION 3.** That, each year of the term of the agreement with Wells Fargo Bank, N.A. the City’s obligation to pay the incentive is expressly contingent upon the passage of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

**SECTION 4.** That the City of Columbus Jobs Growth Incentive Agreement is signed by Wells Fargo Bank N.A. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

**SECTION 5.** That the Columbus City Council hereby extends authority to the Director of the Department of Development to amend Wells Fargo Bank, N.A.’s City of Columbus Jobs Growth Incentive Agreement for certain modifications to the agreement requested in writing by the company and or the City and deemed appropriate by the Director of the Department of Development with these certain modifications being specifically limited to reductions in length of term, methods of calculating the incentive, or adding or deleting business entities associated with the employment commitments related to this incentive. Columbus City Council must approve all other requested amendments.

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

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**Legislation Number:** 2614-2023

**Drafting Date:** 9/12/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The Director of the Department of Development is requesting authorization to enter into an Enterprise Zone Agreement on behalf of the City with G & J Pepsi-Cola Bottlers, Inc. (“G&J Pepsi”, and also referred to as the "Enterprise"). The Ohio Enterprise Zone law Section 5709.62(C) of the Ohio Revised Code authorizes the City to enter into a Council-approved tax abatement agreements between the City and qualifying companies.

In 1925, the owner of the Grand Pop Bottling Company in Cincinnati decided to put the company on the market. Nell and Walter Gross and Esther and Isaac Jarson decided to purchase the company and become equal partners. In 1935, a representative of the Pepsi-Cola Bottling Company called upon the Grosses and Jarsons after having been turned down by several other beverage companies and offered them a Pepsi franchise. Walter and Isaac agreed to try it and put several barrels of concentrates under some steps in the old plant. They

did not produce the Pepsi product for several months, but when they did, it began to sell fairly well. Today, G&J Pepsi is a privately owned company comprised of seven franchises, which distribute Pepsi-Cola brand products in Athens, Columbus, Hamilton, Portsmouth, Ripley and Zanesville, Ohio and Lexington, Kentucky. G&J Pepsi is the largest family owned and operated Pepsi franchise bottler. Headquartered in Cincinnati, Ohio, the company operates distribution centers in Chillicothe, and Hillsboro, Ohio as well as Winchester and Harrodsburg, Kentucky. In 2015, G&J Pepsi established a new production line in Columbus to manufacture its own plastic bottles for use in its soft drink bottling operation. The company distributes Pepsi brand products as well as packages under Lipton, Ocean Spray, Starbucks, and SoBe labels as well as Cadbury (Dr. Pepper) beverages. The entire G&J Franchise employs over 1,600 employees and has over 300 beverage routes.

G&J Pepsi is proposing to invest a total project cost of approximately \$25,525,000.00, which includes \$18,125,000.00 in new construction cost, \$1,500,000.00 in improvements to its existing facilities, \$4,450,000.00 in machinery and equipment, and \$1,450,000.00 in furniture and fixtures to expand its bottling operation. The proposed expansion will occur in three different phases. The first phase, the Blow Mold Self Injection phase, will allow the company to create their own bottle preforms, which are used to blowmold bottles. This will require a building modification of approximately 4,800 sq.-ft. of the company's current facility. The second phase, Office Expansion, consists of the expansion of approximately 25,000 sq.-ft. of the company's existing offices. In the third phase, G&J Pepsi proposes to construct a new 77,400 sq.-ft. Warehouse and distribution facility. These proposed expansions and improvements will support company growth at G&J Pepsi and will help expedite the bottling preform process and maintain operations under G&J Pepsi. Additionally, G&J Pepsi will retain 546 full-time jobs with an annual payroll of approximately \$27,588,250.00 and create forty-four (44) net new full-time permanent positions with an estimated annual payroll of \$2,232,000.00. All real property improvements, job retention and creation will occur at 1241 Gibbard Avenue, Columbus, Ohio 43219, parcel number 010-057636 (the "Project Site").

The Director of the Department of Development is recommending that Council approve a 75%/10-year Enterprise Zone tax abatement on real property improvements made by the Enterprise at the Project Site, in consideration of creating the New Employees.

The Columbus City School District has been advised of this project.

This legislation is presented as 30-day legislation.

**FISCAL IMPACT:**

No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with G & J Pepsi-Cola Bottlers, Inc. (the "Enterprise") for a tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the Enterprise investing approximately \$18,000,000.00 in real property improvements, the creation of forty-four (44) net new full-time permanent positions with an

estimated annual payroll of approximately \$2,200,000.00 and the retention of 546 full-time permanent positions with an annual payroll of approximately \$27,550,000.00 at the proposed Project Site.

**WHEREAS**, the Columbus City Council authorized the designation of the City of Columbus Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and subsequently amended the Zone by Ordinance Nos. 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2690-92 and 2249-92 in 1992; 1079-94 and 1228-94 in 1994; 2196-95 and 2817-95 in 1995; 0533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; 0225-03 in 2003; 0032-2012 in 2012; 1442-2020 in 2020, 0279-2021 in 2021; and 0736-2022 in 2022; and

**WHEREAS**, the Director of the Development Department of the State of Ohio ("ODOD") has determined that the Columbus Enterprise Zone (the "Zone"), as amended by the aforementioned Ordinances, continues to contain the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code. The Director of ODOD has recertified this Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003, August 19, 2003, April 3, 2012, September 18, 2020, May 20, 2021, and most recently on May 17, 2022 as an "urban jobs and enterprise zone" under Chapter 5709 of the Ohio Revised Code; and

**WHEREAS**, Nell and Walter Gross and Esther and Isaac Jarson established G & J Pepsi-Cola Bottlers, Inc. ("G&J Pepsi") in 1925 when they decided to purchase Grand Pop Bottling Company in Cincinnati, Ohio, which they became equal partners. In 1935, a representative of the Pepsi-Cola Bottling Company called upon the Grosses and Jarsons after having been turned down by several other beverage companies and offered them a Pepsi franchise. Walter and Isaac agreed to try it and put several barrels of concentrates under some steps in the old plant. They did not produce the Pepsi product for several months, but when they did, it began to sell fairly well; and

**WHEREAS**, today, G&J Pepsi is a privately owned company comprised of seven franchises, which distribute Pepsi-Cola brand products in Athens, Columbus, Hamilton, Portsmouth, Ripley and Zanesville, Ohio and Lexington, Kentucky. G&J Pepsi is the largest family owned and operated Pepsi franchise bottler. Headquartered in Cincinnati, Ohio, the company operates distribution centers in Chillicothe, and Hillsboro, Ohio as well as Winchester and Harrodsburg, Kentucky. In 2015, G&J Pepsi established a new production line in Columbus to manufacture its own plastic bottles for use in its soft drink bottling operation. The company distributes Pepsi brand products as well as packages under Lipton, Ocean Spray, Starbucks, and SoBe labels as well as Cadbury (Dr. Pepper) beverages. The entire G&J Franchise employs over 1600 employees and has over 300 beverage routes; and

**WHEREAS**, the Enterprise has submitted a proposal ("Proposal") to invest approximately \$18,125,000.00 in real property improvements (the "Project") to construct a new 77,400 square-foot warehouse facility, along with a 25,000 square-foot office expansion and modifications to an existing facility consisting of approximately 4,800

square-feet for a Blow Mold Self Injection Phase (collectively, and hereinafter referred to as the "Facility") at 1241 Gibbard Avenue, on parcel number 010-057636 (the "**Project Site**"); and

**WHEREAS**, the Enterprise anticipates that the Project will retain 546 full-time jobs with an annual payroll of approximately \$27,558,250.00 and create forty-four (44) net, new full-time permanent positions at the Facility with an associated estimated annual payroll of approximately \$2,232,000.00 ("New Employees"); and

**WHEREAS**, after reviewing and investigating the Proposal submitted by the Enterprise, the Director of the Department of Development believes that the Enterprise has demonstrated that it is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Columbus Enterprise Zone and improve the City's economic climate; and

**WHEREAS**, the Director of the Department of Development is recommending that City Council approve a 10-year, 75% abatement on the assessed valuation of the Project Site due to construction of the \$18,125,000.00 Facility, to incentivize the Enterprise to expand their existing manufacturing facility in the City's central corridor; and

**WHEREAS**, the Director of the Department of Development has notified the Columbus City School District of the Project; and

**WHEREAS**, the City desires to enter into an agreement with the Enterprise in order to incentivize economic growth and create employment opportunities for its citizens, and 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 Columbus City Council, having reviewed the proposal, finds that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the City of Columbus Enterprise Zone and improve the City's economic climate pursuant to Revised Code Section 5709.62(C).

**SECTION 2.** That City Council finds and determines (1) that the Enterprise will create, or cause to be created, the New Employee positions in the State and City; (2) that the Project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) that receiving the aforementioned tax abatement is a critical factor in the decision by representatives for G & J Pepsi-Cola Bottling, Inc., the Enterprise hereunder, to go forward with constructing the Project.

**SECTION 3.** That, based on this determination, City Council approves and authorizes a 10-year, 75% abatement on the increase in assessed valuation of real property on the **Project Site**, contingent upon the Enterprise investing approximately \$18,125,000.00 in real property

improvements to construct a new 77,400 square-foot warehouse facility, expand its existing office space by an additional 25,000 square feet and modify a 4,800 square-foot Blow Mold Self Injection facility at 1241 Gibbard Avenue, parcel number 010-057636, the retention of 546 full-time positions with an annual payroll of approximately \$27,550,000.00, and the creation of forty-four (44) net, new full-time permanent positions at the **Project Site** with an estimated annual payroll of approximately \$2,232,000.00.

**SECTION 4.** That the Director of the Department of Development, for and in the name of the City, is authorized to enter into an Enterprise Zone Agreement with the Enterprise with such changes, amendments or edits thereto, that are not inconsistent with the terms of this Ordinance, or adverse to the City. Such authorized amendment includes assignment of the Agreement from the Enterprise to a Related Member as defined in R.C. Section 5709.61(W), or to a Successor Enterprise as defined by R.C. Section 5709.61(Y). The Director of the Department of Development also is authorize to execute any other agreements, or sign any documents necessary to effectuate the Agreement and the Exemption provided therein, and approved as to Form by the City Attorney, if required.

**SECTION 5.** That the City and the Enterprise must execute the Enterprise Zone Agreement within ninety (90) days of this Ordinance's passage, or this Ordinance, and the authorization to enter into the tax abatement agreement, is null and void.

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

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**Legislation Number:** 2695-2023

**Drafting Date:** 9/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This legislation authorizes the Director of the Department of Public Utilities to renew and increase a service agreement with Safex, Inc. for the DPU Hazardous Energy Control Project. This legislation authorizes the Director of the Department Public Utilities to increase a professional services agreement with Safex for Professional Services for the Hazardous Energy Control Procedure Audit and Update. These services shall include, but are not limited to audit planning, conducting facility audits, developing audit reports, and updating or developing control procedures.

The Department of Public Utilities manages many facilities under the Division of Sewerage and Drainage (DOSD), Division of Water (DOW) and the Division of Power (DOP), including water treatment plants, wastewater treatment plants, pump stations, electrical substations, electrical vaults and other similar industrial



facilities. DPU desires to audit the hazardous energy control procedures at each of the Division's facilities.

The City will request a task order from the consultant as necessary work is identified. The task order submitted will include a detailed scope of work, direct and indirect costs, task schedule, estimated hours, personnel categories required with labor rates, and reimbursable expenses. After negotiation and upon acceptance by the City, the consultant shall commence work. The Engineer shall provide such professional services as may be necessary to accomplish the work required to be performed and shall at the firm's cost, furnish all necessary competent personnel, equipment, and materials to perform the work.

This is a seven (7) year contract and funding is based on task orders requested by the City of Columbus and the cost of which is agreed upon between the City of Columbus and the vendor. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be required. This proposed renewal #3 for year #7 of the 7 year contract is to add additional funding as necessary.

This Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract renewals.

**SUPPLIER:** Safex, Inc., FID #31-1365251, DAX #005186, Expires January 1, 2024.  
Safex, Inc. holds F1 status.

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.

1. Amount of additional funds: Total amount of additional funds needed for this contract renewal No. 3 is ADD \$170,000. Total contract amount including this renewal is \$990,000.00.
2. Reasons additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. This increase is to provide the additional funding necessary for the payment of services to be provided through July 2, 2024.
3. Reason other procurement processes were not used: Work under this renewal is a continuation of services included in the scope of the original bid contract. Adjustments to fees and scope to this contract will be made by Contract Renewal based on annual proposals as requested by the City. The amount requested under this ordinance is \$170,000.00. This funding will provide for DOSD and DOW services estimated to be needed in 2023 and early 2024.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement. A cost proposal was provided by Safex, Inc. and reviewed by the Division of Sewerage and Drainage and the Division of Water and was deemed acceptable. The cost of this contract renewal is consistent with the direct labor, overhead, and profit rates established within the original proposal.

**FISCAL IMPACT:** A total of \$170,000.00 in additional funding is budgeted and needed for this contract renewal for the various facilities of the Division of Sewerage and Drainage in the amount of \$70,000.00 and of the Division of Water in the amount of \$100,000.00. If funding is needed in the future for other Department of Public Utilities facilities a modification will be processed.

\$169,807.31 was spent in 2022

\$68,459.82 was spent in 2021

\$119,802.58 was spent in 2020

To authorize the Director of the Department of Public Utilities to renew and increase the contract with Safex, Inc. for the DPU Hazardous Energy Control Project for Department of Public Utilities facilities; and to authorize the expenditure of \$70,000.00 from the Sanitary Sewer Operating Fund and \$100,000.00 from the Water Operating Fund. (\$170,000.00)

**WHEREAS**, the Director of the Department of Public Utilities entered into contract with Safex, Inc. for the DPU Hazardous Energy Control Project for various Department of Public Utilities facilities; and

**WHEREAS**, the original agreement, PO067938, was authorized by Ordinance 0673-2017, passed May 1, 2017; executed by the Director on June 19, 2017; approved by the City Attorney June 30, 2017; and certified by the City Auditor on July 3, 2017; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to renew and increase an engineering agreement with Safex, Inc. for the DPU Hazardous Energy Control Project; and

**WHEREAS**, this is a multi-year agreement with subsequent planned contract renewals to provide for the addition of funding of task orders as necessary. The parties agree that the City's obligation for subsequent years is subject to and conditioned upon the approval of City Council, and appropriation and certification of funds by the City Auditor; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$70,000.00 from the Sanitary Sewer Operating Fund, Fund 6100; and \$100,000.00 from the Water Operating Fund for this contract renewal; and

**WHEREAS**, this Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of Columbus City Codes pertaining to contract renewals; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director of the Department of Public Utilities to renew and increase the contract with Safex, Inc., for the DPU Hazardous Energy Control Project for various Department of Public Utilities facilities; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Public Utilities be and is hereby authorized to renew and increase contract No. PO067938 with Safex, Inc., 140 North Otterbein Avenue, Westerville, Ohio, 43081 for the DPU Hazardous Energy Control Project for the Department of Public Utilities facilities, in accordance with the terms and conditions shown in the agreement on file in the office of the Division of Sewerage and Drainage, to add \$170,000.00 to the contract, for a total contract amount, including this renewal, of \$990,000.00.

**SECTION 2.** That said company, Safex, Inc., shall conduct the work to the satisfaction of the Director of the Department of Public Utilities and the Administrators of the Divisions of Sewerage and Drainage, Water, and Power.

**SECTION 3.** That this renewal is in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes relating to contract renewals.

**SECTION 4.** That the expenditure of \$170,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100, Sanitary Sewer Operating Fund, in the amount of \$70,000.00; and in Fund 6000, Water Operating Fund, in the amount of \$100,000.00; in object class 03 Services per the accounting codes in the attachment to 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 the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract renewals associated with this Ordinance.

**SECTION 7.** That the Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 2766-2023

**Drafting Date:** 9/29/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The policing of First Amendment crowd events has been a major driver of recent challenges to police legitimacy both in Columbus and nationwide. In response to the civil unrest of 2020, police agencies across the US have therefore been re-evaluating their crowd management strategies. Accordingly, the Columbus Division of Police has developed partnership projects between Crowd and Conflict Management Ltd (CCM Ltd), the Columbus Division of Police (CDP), The Ohio State University (OSU), Keele University, and the City of Columbus.

ENABLE Columbus which was the first phase of this partnership was authorized via ordinance 2167-2023 passed on 7/31/2023. ENABLE Columbus aims to utilize this knowledge production partnership to embed and enhance the CDP's new science-led approach to crowd policing, develop new research expertise based at OSU, gather primary data on the effectiveness and limitations of the new approach, use this evidence to further enhance CDP's crowd management strategies, foster dialogue between police and demonstrators, help safeguard First Amendment rights, and position the City of Columbus as providing the nationally leading approach to crowd management policing.

This legislation authorizes the Director of the Department of Public Safety to enter into contract with CCM Ltd and enter into a separate contract with The Ohio State University for the implementation of Project LEGACY, a science-based approach to policing and the management of police legitimacy. The scope of work and specific tasks and deliverables by OSU are on EXHIBIT A and specific tasks and deliverables by CCM Ltd are on EXHIBIT B, attached to this legislation.

Comprising the phases of ENABLE, UNVEIL, and FORTIFY, Project LEGACY aims to reshape policing paradigms through comprehensive knowledge co-production strategies, partnerships and impacts. The three phases are outlined below.

The ENABLE Columbus work program will continue from phase one by building on research insights and remain focused on advancing the CDP's innovative Public Order and Public Safety (POPS) graded tactical model. The model involves the deployment of specialized Dialogue Police Officers to establish positive rapport with protesters, proactively defuse tensions, minimize unnecessary use of force, and facilitate peaceful demonstrations. However, the Columbus POPS approach aims to prevent disorder and safeguard constitutional rights by employing proportionate force when necessary. Consequently, the ENABLE work program will utilize a Participant Action Research framework that incorporates a series of systematic observations, strategic leadership alignment, training, and accreditation to enhance tactical coordination and develop closer collaboration with fellow law enforcement agencies. CCM will lead on the delivery of ENABLE but supported by OSU's John Glenn College of Public Affairs (JGC)

In addition, the UNVEIL Columbus Work Program recognizes the corrosive impact of public skepticism on police legitimacy. Consequently, this work program adopts a data-driven approach to promote police transparency, legitimacy, and evidence-based policing practices. Through the analysis of routine police data as well as data from external sources such as census, crime, and public health data, the initiative aims to uncover the potential for analyzing underlying causes of racial and ethnic disparities in policing. In collaboration with data scientists and researchers from OSU and Keele Universities, the program will undertake preliminary analysis and derive an outline framework of actionable insights to guide future analysis and inform current strategies for rebuilding trust and reducing disparities in policing outcomes.

Finally, the FORTIFY Columbus work program will focus on cementing the collaboration between the CDP, JGC, and the City of Columbus. This multi-faceted initiative seeks to establish the potential for fostering academic-practitioner partnerships that bridge gaps between academic research, operational leadership, and excellence in policing. Leveraging the strategic commitment of OSU and its broad array of policing-relevant research expertise, this work program aims to broaden the co-development and growth of evidence-based practices in ways that have the potential to enhance police-community relations. Moreover, FORTIFY will set out the required processes necessary for JGC to offer accredited postgraduate continuous education tailored for police officers. These courses will aim to enhance skills and science-based knowledge whilst simultaneously generating strong pathways to impact empowering CDP's capacities to conduct policing operations in line with community expectations.

Professor Stott is the Director of CCM Ltd and is the world's leading expert in crowd psychology and policing. He has worked with governments and police forces internationally and is at the forefront globally of developing new science-based approaches to crowd management utilizing specialized units of Dialogue Police.

Professor Russell Hassan, Wolf Chair in Public and International Affairs at JGC, will be the lead for OSU and will organize an academic research team that includes faculty and graduate students from Ohio State as well as experts from other academic institutions.

Contract with CCM LTD. =\$130,000.00

Contract with the Ohio State University: = \$262,145.20

**Emergency Action:** This is the second phase of a project already in progress and emergency action is

requested in order to make a smooth transition from Phase One of the project to the second phase given the complexities and importance of the work involved.

**Fiscal Impact:** This legislation authorizes the expenditure of \$130,000.00 to enter into a contract with Crowd and Conflict Management and the expenditure of \$262,145.20 with The Ohio State University for a collaboration to implement Phase Two called Project LEGACY: a science-based approach to policing crowd events. Total expenditure is \$392,145.20 from a combination of General Funds and COPS Grant Funds. This ordinance also authorizes the transfer of funds within the General Fund, from the Citywide account to the Department of Public Safety for this contract. This ordinance is also contingent on the passage of ordinance 3290-2023 which appropriates the Grant Funds.

To authorize the Director of the Department of Public Safety to enter into contract with Crowd and Conflict Management Ltd. and the Ohio State University in a collaboration to implement a science-led approach to policing called "project LEGACY"; to authorize the transfer of funds within the general fund from the city-wide account to the Department of Public Safety; to authorize the expenditure of \$217,145.20 from the general fund and \$175,000.00 from the General Government Grant Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$392,145.20)

**WHEREAS,** the City has a need to build on the consultancy work undertaken in Phase One of "ENABLE Columbus" by building a science-based approach to policing crowd events in Columbus; and,

**WHEREAS,** Phase Two "Project LEGACY" is a wide-ranging initiative designed to strengthen collaboration between the Columbus Division of Police, the John Glenn College of Public Affairs and the City of Columbus.

**WHEREAS,** this ordinance will establish two separate contracts; One with the Ohio State University for \$262,145.20 and the other with Crowd and Conflict Management Ltd for \$130,000.00

**WHEREAS,** Under the second phase, the project is tailored to develop research and education at JGC in ways that address key aspects of community and public safety policing to enhance police legitimacy and create a framework for professionalizing policing in the city of Columbus; and,

**WHEREAS,** the transfer of funds is necessary in order to properly align appropriation with projected expenditure, and

**WHEREAS,** It is necessary to authorize the expenditure of \$217,145.20 from the General Fund and \$175,000.00 from COPS Grant Funds with the Crowd and Conflict Management and the Ohio State University.

**WHEREAS,** a waiver of the competitive bidding provisions of the Columbus City Codes is necessary as Professor Stott of Crowd and Conflict Management Ltd is uniquely well-suited to serve as consultant to Columbus' law enforcement and community partners in their implementation efforts and is already under contract to implement Phase One of the project; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to authorize the Public Safety Director to enter into contract with Crowd and Conflict Management Ltd and with OSU to implement Phase Two of a science-based approach to policing crowd events and help the Division of Police re-evaluate their crowd management strategies without delay due to the

complexities and importance of work involved, 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 Public Safety is hereby authorized to enter into contract with Crowd and Conflict Management Ltd for \$130,000.00 to help the Division of Police to implement the second phase (Project LEGACY) of a science-based approach to policing crowd events in the City of Columbus.

**SECTION 2.** That the Director of the Department of Public Safety is hereby authorized to enter into contract with the Ohio State University for \$262,145.20 to collaborate with CCM Ltd in the implementation of the second phase (Project LEGACY) of a science-based approach to policing crowd events in the City of Columbus

**SECTION 3.** That the amount of \$217,145.20 or so much as may be necessary, is hereby authorized to be transferred within the General Fund, fund 1000-100010 from Finance and Management to the Department of Public Safety per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this Council finds it is in the best interests of the City to waive the competitive bidding provisions of Chapter 329 of the Columbus City Code to enter into this contract, and hereby waives such provision.

**SECTION 5.** That the expenditure of up to \$217,145.20, or so much thereof as may be needed pursuant to the action authorized in SECTIONS 1 and 2, is hereby authorized in the General Fund 1000, in Object Class 03 - Contractual Services, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of up to \$175,000.00, or so much thereof as may be needed pursuant to the action authorized in SECTIONS 1 and 2, is hereby authorized in the General Government Grant Fund 2220, in Object Class 03 - Contractual Services, per the accounting codes in the attachment to this ordinance

**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 monies appropriated in the foregoing sections shall be paid upon the order of the Director of the Department of Public Safety, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

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

**SECTION 10.** That for the reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

**Drafting Date:** 10/3/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

**Background:** This ordinance amends Columbus City Codes Chapter 912, Trees and Shrubs, and supersedes by codifying, Executive Order 2015-01, Tree Protection and Mitigation Policy.

Columbus' Urban Forestry Master Plan (UFMP) was approved by City Council in 2021 and is a strategic plan to prioritize, preserve, and grow our tree canopy over the next decades. One of the key actions in the UFMP is to update Columbus' public tree protections.

Public trees are all trees growing on City-owned properties. In Columbus, 30% of our overall tree canopy grows on public land and includes more than 125,000 street trees. Protecting these trees is important to Columbus' canopy goals, particularly stopping net loss by 2030. City Code confers authority over all trees planted or to be planted on City-owned property to the Columbus Recreation and Parks Department.

Public trees are governed today by City Code Chapter 912 and Executive Order 2015-01. Chapter 912 was adopted over 30 years ago, in 1991, and gives the Columbus Recreation and Parks Department the authority over trees planted or to be planted on City-owned properties. It includes some protections for public trees, established a tree fund, and established the Tree Subcommittee. In 2015, Former Mayor Coleman signed an Executive Order to ensure that City construction activities and capital improvement projects minimize impacts to trees, requiring tree mitigation via planting or payment-in-lieu.

The City held two public comment periods, and the Recreation and Parks Department held over 35 City interdepartmental meetings to work through implementation logistics. Major changes to the City Code and a companion manual to aid in better outcomes and better protect public trees were discussed. The proposed Tree Technical Manual was drafted. For the first time, code changes to allow for the creation of a Tree Technical Manual that carries the force of City Code were advanced. This is important because it means the department can both provide more detail on meeting code with best practices, and the manual can be updated more frequently than City Code, allowing it to be a living document that can change with advances in the forestry industry. Mitigation will now apply to all projects. Today, there instances in which the current system results in healthy trees not being replaced when work occurs on public land. The proposed code changes will address this issue. Stronger valuation of trees and an inch-for-inch replacement is also recommended. In the current system, the tree valuation and replacement practices do not accurately reflect the value of trees in Columbus. A mitigation fee structure is needed. The proposed tree code amendments not only include mitigation options for the first time, but they also increase the rate to \$260 per inch based on the average appraisal value of a representative sample of public trees. This increased rate better reflects the value of Columbus' public trees and this fee will be used to plant trees across the City of Columbus.

**Principal Parties:** n/a

**Benefits to the Public:** Residents benefit from public trees, which shade our streets, clean the air, filter the water, and make our city more walkable and resilient. Modernizing Columbus' public tree code ensures those benefits remain for generations to come.

**Community Input/Issues:** There were two public comment periods advertised for input on these changes, from January 12, 2022 to February 4, 2022 and again from August 25, 2023 to September 22, 2023. There was

also a City Council hearing with public comment on September 14, 2023.

**Area(s) Affected:** Citywide (99)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by being proactive in protecting trees and establishing a canopy replacement program in furtherance of overall tree canopy goals.

**Fiscal Impact:** No fiscal action is required at this time.

To amend City Code Chapter 912, Trees and Shrubs, by repealing and replacing the chapter in its entirety; and to supersede provisions of Executive Order 2015-01, Tree Protection and Mitigation Policy. (\$0)

**WHEREAS,** it is necessary to amend City Code Chapter 912, Trees and Shrubs, by repealing the existing chapter and replacing it in its entirety; and

**WHEREAS,** this amendment will codify provisions of Executive Order 2015-01, Tree Protection and Mitigation Policy, and supersede conflicting provisions of that Executive Order; and

**WHEREAS,** it is necessary to delay superseding Executive Order 2015-01, Tree Protection and Mitigation Policy, until August 1, 2024; and

**WHEREAS,** the Recreation and Parks Commission, by action of October 10, 2023, has reviewed and voted to recommend the City Code changes contained herein; and

**WHEREAS,** it has become necessary in the usual daily operations of the City for the Tree Code to be amended for all of the reasons provided in the background and incorporated fully herein; **NOW,**

**THEREFORE**

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

**SECTION 1.** That City Code Chapter 912, Trees and Shrubs, be replaced as provided for in the following attachment:

Chapter 912, Trees and Shrubs

**SECTION 2.** That the current version of City Code Chapter 912 is hereby repealed.

**SECTION 3.** That new Section 912.06 shall go into effect on August 1, 2024.

**SECTION 4.** That provisions of Executive Order 2015-01, Tree Protection and Mitigation Policy, shall remain in effect until August 1, 2024 at which time the provisions of Executive Order 2015-01 will be superseded by City Code Section 912.06.

**SECTION 5.** That except as otherwise provided in Section 3, this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Drafting Date: 10/11/2023

Current Status: Passed

Version: 1

Matter Type: Ordinance

Mayor Ginther’s vision for Columbus, America’s Opportunity City, is that every Columbus child has access to a safe after-school environment to continue his/her education at the end of the school day.

According to the Harvard Family Research Project and its national database of evaluations, research confirms that “children and youth who participate in after-school programs can reap a host of positive benefits in a number of interrelated outcome areas: academic, social-emotional, prevention, and health and wellness. These are the skills that many suggest are necessary for youth to succeed in the 21st century global economy and world.”

The Mayor’s Office of Education is working with YMCA of Central Ohio, Columbus City Schools, the Boys and Girls Club of Central Ohio, and many others to develop a comprehensive, countywide, middle school after-school program collaborative for central Ohio. The collaborative will track and measure output and outcomes to analyze the progress of youth, the effectiveness of programs, and how to expand strategically.

The Office of Education requests the authority to partner with SureImpact Inc, a sole source vendor to provide a unified data collection and reporting infrastructure for the City, and for all of the after school programs in the collective. SureImpact currently provides a similar service to the City of Columbus, Department of Development. It will be advantageous to the city and to providers to cross reference the middle school data with that of the Department of Development’s Elevate grants.

Because SureImpact is a sole source provider, and because SureImpact currently provides a similar service to the City of Columbus, Department of Development, the Office of Education request to waive the competitive bidding requirement in City Code Section 329.

**FISCAL IMPACT:** Funding for this contract (\$57,625.00) is available within the 2023 Mayor’s Office of Education general fund budget. (\$57,625.00)

CC# 83-2597446 expires 10/14/2024

To authorize and direct the Director of the Mayor’s Office of Education to enter into a contract with SureImpact, Inc. for the purposes of providing a unified data collection and reporting infrastructure for the Office’s Middle School After School Program; and to authorize the expenditure of \$57,625.00 from the general fund. (\$57,625.00).

**WHEREAS,** Mayor Ginther's vision for Columbus, America’s Opportunity City, is that every Columbus child has access to a safe after-school environment to continue their education at the end of the school day; and

**WHEREAS,** research has proven that children who participate in after-school programs learn the skills that many suggest are necessary to succeed in the 21st century global economy and world; and

**WHEREAS,** the Mayor’s Office of Education is working with Columbus City Schools, Boys and Girls Club of Central Ohio, the YMCA of Central Ohio; and many other providers on a comprehensive, countywide, middle school after-school program collaborative for central Ohio; and

**WHEREAS,** SureImpact, Inc. will provide a unified data collection and reporting infrastructure for the city, and for all of the after-school programs in the collective; and

**WHEREAS**, the Office request to waive competitive bidding as SureImpact is a sole source vendor and currently provides a similar service to the City of Columbus, Department of Development; and **NOW THEREFORE**,

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

**SECTION 1.** That the Director of the Mayor’s Office of Education is authorized to enter into a contract with the SureImpact, Inc. to provide a unified data collection and reporting infrastructure for the city, and for all of the after-school programs in the collective.

**SECTION 2.** That the expenditure of \$57,625.00 be and is hereby authorized as follows:

**Dept/Div:** 40-06 | **Obj Class:** 03 | **Main Account:** 63050 | **Fund:** 1000 | **Sub-fund:** 100010 | **Program:** ED001 | **Amount:** \$57,625.00

**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 this ordinance shall take effect from and after the earliest date allowable by law.

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**Legislation Number:** 2994-2023

**Drafting Date:** 10/20/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The City is required to conduct Environmental Review Record of all federally funded projects to determine whether it meets federal, state, and local environmental standards. CAP STONE & Assoc Inc. (dba and referred to throughout as Stone Environmental Engineering and Science Inc.) has been assisting the Department of Finance and Management in preparing Environmental Review Records for U.S. Department of Housing and Urban Development funded projects.

This ordinance is needed to authorize the Director of Finance and Management to authorize the Director of Finance and Management to enter into a contract for environmental review consultation services for the period of January 1, 2024 to December 31, 2024; to authorize the expenditure of Department of Finance and Management - Grants Management Administration funds (Fund 2248) that were appropriated through Ordinance 2995-2023; and to appropriate and authorize the expenditure of HOME Investment Partnership and HOME-ARP funds for this purpose.

**FISCAL IMPACT:** This ordinance will authorize the expenditure of \$40,000.00 from the Community Development Block Grant Fund (Fund 2248), \$50,000.00 from the HOME Investment Partnerships Fund (Fund 2201), and \$20,000.00 from the HOME-ARP Fund (Fund 2201) for a total expenditure of \$110,000.00.

**EMERGENCY DESIGNATION:** An emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to enter into a contract so that Stone Environmental Engineering and Science Inc. will have the ability to continue assisting the Department of Finance and Management with preparing environmental review records and avoid disruption in providing such services, to comply with federal requirements, and for the immediate preservation of the public health, peace, property, safety and welfare.

To authorize the Director of the Department of Finance and Management to enter into a contract with Stone Environmental Engineering and Science Inc.; to authorize the expenditure of Department of Finance and Management - Grants Management Administration funds in the amount of \$40,000.00 (Fund 2248); to authorize the Director of the Department of Finance and Management to appropriate and authorize the expenditure of \$50,000.00 of HOME Investment Partnership funds (Fund 2201) and \$20,000.00 of HOME-ARP funds (Fund 2201); and to declare an emergency. (\$110,000.00)

**WHEREAS,** the City of Columbus is an entitlement community and a Participating Jurisdiction of the U.S. Department of Housing and Urban Development (HUD), and the City is a current recipient of various HUD Community Planning Division (CPD) grant funds; and

**WHEREAS,** an environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards; and

**WHEREAS,** the environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users; and

**WHEREAS,** the Department of Finance and Management utilized a Request for Proposals (RFP) process to identify and assess qualified firms for providing environmental review services; and

**WHEREAS,** proposals were submitted in response RFQ015377 in accordance with the relevant provisions of Chapter 329 of City Code pertaining to professional services contracts, through which process Stone Environmental Engineering and Science Inc. received the highest overall score;

**WHEREAS,** RFQ015377 stated that the proposal may be renewed annually for a period of up to five (5) years; and

**WHEREAS,** Ordinance 2995-2023 authorized the appropriation of 2024 CDBG Program Year funds for various activities, including Department of Finance and Management - Grants Management Administration; and

**WHEREAS,** it is necessary to authorize the Director of Finance and Management to enter into a contract with Stone Environmental Engineering and Science Inc. for consultation services to assist the City in preparing

Environmental Review Records for the 2024 HUD Program Year; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to enter into a contract so that Stone Environmental Engineering and Science Inc. will have the ability to continue assisting the Department of Finance and Management with preparing environmental review records and avoid disruption in providing such services, to comply with federal requirements, 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 expenditure of \$40,000.00 is authorized within the CDBG Fund 2248 per the accounting codes in the attachment to this ordinance.

**SECTION 2.** That the appropriation and expenditure of \$50,000.00 is authorized within the HOME Fund 2201 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the appropriation and expenditure of \$20,000.00 is authorized within the HOME-ARP Fund 2201 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 approves nor vetoes the same.

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**Legislation Number:** 3037-2023

**Drafting Date:** 10/25/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:**

This legislation authorizes the Director of the Department of Neighborhoods to enter into a grant agreement with Hilltop Rise Economic Community Development Corporation. The mission of this organization is in alignment with the Envision Hilltop Plan through its mission to promote vital economic development and community investment on The Hilltop for residents and business owners.

Hilltop Rise Economic Community Development Corporation is a non-profit Economic Community Development Corporation working to enhance the streetscapes along historic business corridors, preserve affordable commercial real estate, and attract businesses and customers to revitalize the neighborhood for the Greater Hilltop community.

Funding from the City of Columbus Department of Neighborhoods will be used to support the administrative costs for the Hilltop Rise Economic Community Development Corporation, in addition to the personnel costs associated with employing an Executive Director.

This support is in accordance with the relevant provisions of City Code Chapter 329 that relate to not-for-profit service contracts. The services included in this agreement cannot be provided by existing city employees

because these services are beyond the City’s current responsibility and capacity to provide.

**Fiscal Impact:** The fiscal impact associated with the execution of the contract is in the amount of \$115,000.00 and is to come from Fund 1000 General Fund (GF).

**Emergency Justification:** Emergency action is requested in order to prevent delays in on-going projects and the day-to-day operation of the non-profit.

To authorize the Director of the Department of Neighborhoods to enter into a grant agreement with Hilltop Rise Economic Community Development Corporation to authorize the expenditure of \$115,000.00 from the Department of Neighborhoods General Fund 1000; and to declare an emergency. (\$115,000.00)

**WHEREAS**, the mission of the Hilltop Rise Economic Community Development Corporation is aligned with the goals of the Envision Hilltop Plan; and

**WHEREAS**, Hilltop Rise Economic Community Development Corporation will seek to promote vital development and community investment for residents and business owners on The Hilltop; and

**WHEREAS**, this funding will allow Hilltop Rise Economic Community Development Corporation to enhance the streetscapes along historic business corridors, preserve affordable commercial real estate, and attract businesses and customers to revitalize the neighborhood for the Greater Hilltop community; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Neighborhoods in that it is necessary to authorize the Director of the Department of Neighborhoods to enter into contract with Hilltop Rise and to prevent delays in on-going projects and the day-to-day operation of the non-profit; **NOW,**

**THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Neighborhoods is hereby authorized to enter into a grant agreement with Hilltop Rise Economic Community Development Corporation.

**SECTION 2.** That the expenditure of \$115,000.00, or so much thereof as may be necessary, is hereby authorized within the Department of Neighborhoods General Fund 1000, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That this contract is awarded in accordance with the relevant provisions of City Code Chapter 329 relating to nonprofit service contracts.

**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.

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**Legislation Number:** 3081-2023

**Drafting Date:** 10/27/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The Director of the Department of Development is requesting authorization to enter into an Enterprise Zone Agreement on behalf of the City with HUB Investment I LLC (and, referred to as the “Enterprise”). The Ohio Enterprise Zone Law Section 5709.62(C) of the Ohio Revised Code authorizes the City to enter into a Council-approved tax abatement agreement between the City and qualifying companies.

The Enterprise is affiliated with Neyer Properties, Inc. (“Neyer Properties”) and is representative of both

Neyer Properties and Interstate Battery System of America, Inc. (“Interstate Batteries”).

Neyer Properties is a family company that focuses on transforming the commercial real estate landscape of communities with a dedication to building real estate value. Established in 1995, Neyer Properties has developed more than 3,500 acres of land throughout Ohio, Kentucky, and Indiana totaling over \$2 billion in value. Neyer Properties provides commercial real estate solutions in development, redevelopment, asset management, leasing, design, acquisitions, investment, finance, and sustainability.

Founded in 1952, Interstate Batteries has been the technicians’ choice for nine years and counting. The company began when John Searcy started shipping batteries to accounts in Texas, Louisiana, and Mississippi. Now, Interstate Batteries is powered by a distributor network of 300 wholesale warehouses with 150,000 dealers around the world. Interstate Batteries currently has 200 “All Battery Center” franchise stores.

HUB Investment I LLC is proposing to invest a total project cost of approximately \$14,000,000.00 in real property improvements to construct a 151,250 square-foot build-to-suit Class A warehousing and distribution facility for Interstate Batteries, one of three eventual buildings in the development. This facility will become a regional fulfillment center for retailers of Interstate Batteries. Additionally, the Enterprise is proposing to create eighteen (18) net new full time equivalent positions with an associated annual payroll of approximately \$1,088,605.00 at 5225 Scarborough Boulevard, Columbus, Ohio 43232, parcel number 010-298448 (the “**Project Site**”).

The Director of the Department of Development is recommending Columbus City Council approve a 75%/10-year Enterprise Zone tax abatement on real property improvements made by the Enterprise at the **Project Site**, in consideration of creating the New Employees.

The Columbus City School District has been advised of this project.

This legislation is presented as 30-day legislation.

**FISCAL IMPACT:**

No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with HUB Investment I LLC (the "Enterprise") for a tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the Enterprise investing approximately \$14,000,000.00 in new construction and the creation of eighteen (18) net new full-time permanent positions with an estimated annual payroll of approximately \$1,088,605.00 at the proposed Project Site.

**WHEREAS**, the Columbus City Council has established the Southeast Enterprise Zone pursuant to Section 5709.61 to 5709.632 of the Ohio Revised Code (“O.R.C.”) which has been certified by the Director of the Department of Development of the State of Ohio as required by the O.R.C.; and

**WHEREAS**, by City Council Ordinance No. 0428-03 passed March 31, 2003 the City designated the area the Southeast Enterprise Zone as an "MSA principal city non-distressed based jobs and enterprise zone" pursuant to

Chapter 5709.61 (A) of the Ohio Revised Code and declared that incentives for business offered by such zones will enhance efforts to promote the viable and diverse economic activity necessary for rejuvenation of the zone; and

**WHEREAS**, effective August 26, 2003 the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance No. 428-03 contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code, and certified said area (the “Columbus Southeast Enterprise Zone”) as an "MSA principal city non-distressed based jobs and enterprise zone" (limited authority) under Chapter 5709 of the Ohio Revised Code; and

**WHEREAS**, HUB Investment I LLC (the “Enterprise”) is affiliated with Neyer Properties, Inc. (“Neyer Properties”) and is representative of both Neyer Properties and Interstate Battery System of America, Inc. (“Interstate Batteries”); and

**WHEREAS**, Neyer Properties is a family company that focuses on transforming the commercial real estate landscape of communities with a dedication to building real estate value. Established in 1995, Neyer Properties has developed more than 3,500 acres of land throughout Ohio, Kentucky, and Indiana totaling over \$2 billion in value. Neyer Properties provides commercial real estate solutions in development, redevelopment, asset management, leasing, design, acquisitions, investment, finance, and sustainability; and

**WHEREAS**, Interstate Batteries was founded in 1952 and has been the technicians’ choice for nine years and counting. The company began when John Searcy started shipping batteries to accounts in Texas, Louisiana, and Mississippi. Now, Interstate Batteries is powered by a distributor network of 300 wholesale warehouses with 150,000 dealers around the world. Interstate Batteries currently has 200 “All Battery Center” franchise stores; and

**WHEREAS**, the Enterprise has submitted a proposal ("Proposal") to invest approximately \$14,000,000.00 in real property improvements (the “**Project**”) to construct a new 151,250 square-foot build-to-suit Class A warehousing and distribution facility for Interstate Batteries, one of three eventual buildings in the development, at 5225 Scarborough Boulevard, Columbus, Ohio 43232, parcel number 010-298448 (the “**Project Site**”); and

**WHEREAS**, the Enterprise anticipates that the **Project** will create eighteen (18) net, new full-time permanent positions at the Facility with an associated estimated annual payroll of approximately \$1,088,605.00 (“New Employees”); and

**WHEREAS**, after reviewing and investigating the Proposal submitted by the Enterprise, the Director of the Department of Development believes that the Enterprise has demonstrated it is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Columbus Enterprise Zone and improve the City's economic climate; and

**WHEREAS**, the Director of the Department of Development is recommending Columbus City Council approve a 10-year, 75% abatement on the assessed valuation of the **Project Site** due to construction of the Facility, to incentivize the Enterprise to construct a new warehousing and distribution facility in the City's far East corridor; and

**WHEREAS**, the City is encouraging this project because of plans to develop a vacant land into an income generating property in the Southeast corridor of the City of Columbus; and

**WHEREAS**, the Development Director has notified the Columbus City School District of the Project; and

**WHEREAS**, the City desires to enter into an agreement with the Enterprise in order to incentivize economic growth and create employment opportunities for its citizens, and 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 Columbus City Council, having reviewed the proposal, finds that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the City of Columbus Enterprise Zone and improve the City's economic climate pursuant to Revised Code Section 5709.62(C).

**SECTION 2.** That City Council finds and determines (1) that the Enterprise will create, or cause to be created, the New Employee positions in the State and City; (2) that the Project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) that receiving the aforementioned tax abatement is a critical factor in the decision by representatives for HUB Investment I LLC, the Enterprise hereunder, to go forward with constructing the Project.

**SECTION 3.** That, based on this determination, Columbus City Council approves and authorizes a 10-year, 75% abatement on the increase in assessed valuation of real property on the **Project Site**, contingent upon the Enterprise investing approximately \$14,000,000.00 in real property improvements to construct a new 151,250 square-foot build-to-suit Class A warehousing and distribution facility at 5225 Scarborough Boulevard, Columbus, Ohio 43232, parcel number 010-298448, and the creation of eighteen (18) net, new full-time permanent positions at the **Project Site** with an estimated annual payroll of approximately \$1,088,605.00.

**SECTION 4.** That, contingent on the sale and recorded transfer of ownership, the Director of the Department of Development, for and in the name of the City, is authorized to enter into an Enterprise Zone Agreement with the Enterprise with such changes, amendments or edits thereto, that are not inconsistent with the terms of this Ordinance, or adverse to the City. Such authorized amendment includes assignment of the Agreement from the Enterprise to a Related Member as defined in R.C. Section 5709.61(W), or to a Successor Enterprise as defined by R.C. Section 5709.61(Y). The Director of the Department of Development also is authorize to execute any other agreements, or sign any documents necessary to effectuate the Agreement and the Exemption provided therein, and approved as to Form by the City Attorney, if required.

**SECTION 5.** That the City and the Enterprise must execute the attached Enterprise Zone Agreement within one-hundred twenty (120) days of this Ordinance's passage, or this Ordinance, and the authorization to enter into the tax abatement agreement, is null and void.

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



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**Legislation Number:** 3090-2023

**Drafting Date:** 10/30/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This ordinance authorizes the Director of the Office of Education to enter into a not-for-profit service contract with Star House to assist them in meeting the unique needs of homeless and housing-insecure high school and college-age youth.

Founded in 2006, Star House operates the nation’s only 24/7 drop-in center for youth experiencing homelessness that hosts continuous best-practice research and is the only housing village of its kind in Central Ohio for college-age youth who are exiting homelessness. At central Ohio's only drop-in center, young people experiencing homelessness, ages 14-24, are provided with immediate access to safety, basic needs, and access to crucial, stabilizing resources.

Funds from the City of Columbus Mayor’s Office of Education will support the wages of the Youth Advocates at the Star House Drop-In Center, a significant expense for a 24-hour per-day operation. This funding will make a meaningful impact in helping a large number of Columbus teens and young adults complete their education, escape homelessness, and become stable enough to thrive.

The needed services cannot be provided by existing city employees as the City does not operate a 24-hour per day drop-in center for youth experiencing homelessness.

**FISCAL IMPACT:** Funding for this contract is available within the 2023 Mayor’s Office of Education general fund budget.

To authorize the Director of the Office of Education to enter into a not-for-profit service contract with Star House, to assist them in meeting the unique needs of homeless and housing-insecure high school and college-age youth, and to authorize the expenditure of \$100,000.00 from the general fund. (\$100,000.00)

**WHEREAS**, Star House operates the nation’s only 24/7 drop-in center for youth experiencing homelessness that hosts continuous best-practice research and the only housing village of its kind in central Ohio for college-age youth who are exiting homelessness; and

**WHEREAS**, funds from the City of Columbus Mayor’s Office will support Youth Advocates at the Star House Drop-In Center, helping them meet the unique needs of homeless and housing-insecure high school and college-age youth; and

**WHEREAS**, this funding will help a large number of Columbus teens and young adults complete their education, escape homelessness, and become stable enough to thrive; **NOW THEREFORE**,

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

**SECTION 1.** That the Director of the Mayor’s Office of Education is hereby authorized to enter into a not-for-profit service contract with Star House to assist them in meeting the unique needs of homeless and housing-insecure high school and college-age youth.

**SECTION 2.** That this agreement is awarded pursuant to the relevant provisions of Chapter 329 of the Columbus City Codes relating to the process for awarding not-for-profit service agreements.

**SECTION 3.** That the expenditure of \$100,000.00 be and is hereby authorized as follows:

**Dept/Div:** 40-06 | **Obj Class:** 03 | **Main Account:** 63050 | **Fund:** 1000 | **Sub-fund:** 100010 | **Program:** ED001  
**| Amount:** \$100,000.00

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

**SECTION 5.** That this ordinance shall take effect from and after the earliest date allowable by law.

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**Legislation Number:** 3095-2023

**Drafting Date:** 10/30/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

### **1. BACKGROUND**

This ordinance authorizes the Director of Public Service to enter into agreements with and provide funding to the Ohio Department of Transportation (ODOT) for the FRA-3-19.92 (Westerville Rd) project, PID 106260.

The aforementioned effort, which is slated to commence in the spring of 2024, encompasses various improvements to the stretch of SR-3 from Cleveland Avenue to SR-161, including resurfacing, pavement repairs, pavement widening, and bridge work.

Ordinance 0526-2023, which passed on March 6, 2023, previously authorized Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-3-19.92 (Westerville Rd) project, PID 106260.

The purpose of this legislation is to enable the Department of Public Service to satisfy its administrative and financial obligations related to that effort by authorizing: 1) the execution of a contribution agreement or other instrument, and any amendments or modifications thereto, between the Department of Public Services, acting through its director, and ODOT, and 2) the encumbrance and expenditure of up to \$594,070.00 to support completion of the project.

### **2. FISCAL IMPACT**

Funding in the amount of up to \$594,070.00 is available within the Streets and Highways Bond Fund within the Department of Public Service to support the local share of estimated construction costs; however, the final cost to the City may vary based on the results of the competitive bidding process administered by ODOT. An amendment to the 2023 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned expenditure.

### **3. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

ODOT is a political subdivision of the State of Ohio. As such, City of Columbus MBE/WBE/SLBE program requirements are not applicable.

**4. EMERGENCY DESIGNATION**

Emergency action is requested to allow the Department of Public Service to execute and return the necessary contribution agreement along with the requisite payment to ODOT on or before December 7, 2023 in order to maintain the project schedule established by ODOT and to promote highway safety.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreements with and to provide funding to the Ohio Department of Transportation relative to the FRA-3-19.92 project, PID 106260; to authorize the expenditure of up to \$594,070.00 from the Streets and Highways Bond Fund to support the aforementioned project; and to declare an emergency. (\$594,070.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) is administering the FRA-3-19.92 (Westerville Rd) project, PID 106260, which encompasses various improvements to the stretch of SR-3 from Cleveland Avenue to SR-161, including resurfacing, pavement repairs, pavement widening, and bridge work; and

**WHEREAS**, the aforementioned project is located within the corporate boundaries of Columbus; and

**WHEREAS**, Ordinance 0526-2023 authorized the Director of Public Service to grant consent and to agree to cooperate with ODOT relative to the aforementioned project; and

**WHEREAS**, this legislation authorizes the Director of Public Service to enter into agreements with and to make payment in the amount of \$594,070.00 to ODOT relative to the FRA-3-19.92 (Westerville Rd) project, PID 106260; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient budget authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the passage of this legislation to enable the Department of Public Service to execute and return the necessary contribution agreement along with the requisite payment to ODOT on or before December 7, 2023, in order to maintain the schedule established by ODOT and to promote highway safety, 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 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be and is hereby amended to provide sufficient budget authority for the expenditure as follows:

**Fund / Project / Project Name / Current / Change / Amended**

7704 / P538001-100000 / Intersection - Morse Rd at Sunbury Rd (Voted Carryover) / \$533,617.00 / (\$533,617.00) / \$0.00

7704 / P530161-100166 / Roadway Improvements - Livingston Avenue Phase C (Voted Carryover) / \$129,815.00 / (\$60,454.00) / \$69,361.00

7704 / P530282-100152 / Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260 (Voted Carryover) / \$0.00 / \$594,070.00 / \$594,070.00

7704 / P530282-100152 / Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260 (Voted 2022 SIT Supported) / \$429,000.00 / (\$429,000.00) / \$0.00

7704 / P530282-100051 / Resurfacing - Resurfacing Projects (Voted 2022 SIT Supported) / \$6,965,637.00 / (\$165,070.00) / \$6,800,567.00

7704 / P530161-100000 / Roadway Improvements (Voted 2022 SIT Supported) / \$0.00 / \$594,070.00 / \$594,070.00

**SECTION 2.** That the transfer of \$533,616.34, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Design and Construction), Project P538001-100000 (Intersection - Morse Rd at Sunbury Rd), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$60,453.66, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100166 (Roadway Improvements - Livingston Avenue Phase C), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Service be and hereby is authorized to enter into a contribution agreement or other instrument, and any amendments or modifications thereto as may be necessary, with the Ohio Department of Transportation (ODOT) and to make payment to ODOT relative to the FRA-3-19.92 (Westerville Rd) project, PID 106260.

**SECTION 5.** That the expenditure of \$594,070.00 or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

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

Drafting Date: 11/1/2023

Current Status: Passed

Version: 1

Matter Ordinance

Type:

### Background:

In 2022, the Recreation and Parks Department was offered a land donation from Metro Development II LLC, located at 6420 Hall Road in the City's Westland Area (PID 246-317168 and PID 246-317169) and consisting of approximately 126.3 acres of contiguous property on the city's west side, along Hall Road and Galloway Road (the "Property"). The Property is former farmland, and will become a future park space and natural area. The Property lies within the Big Darby Creek watershed, and is categorized by the Big Darby Accord Plan as Tier 1 conservation lands to help protect the water quality of one of Ohio's most unique environmental resources.

As part of the donation, Metro Development requested that the new parkland be named the Rowland Giller III Family Park and will reserve a temporary construction driveway. Once the donation is accepted, the Recreation and Parks Department will initiate an engagement process with key stakeholders, including the residents of the surrounding community, environmental agencies, planning professionals, city staff, and adjacent jurisdictions to develop a framework for a master plan of the Property.

### Principal Parties:

Metro Development II LLC  
470 Olde Worthington Road, Suite 100  
Westerville, Ohio 43082  
(614) 540-2400  
Contract Compliance Number: 032349

**Benefits to the Public:** The Westland area of Columbus is one of the city's least served communities for accessible parks, trails, and natural areas. The substantial size of the parkland enables the opportunity to provide future development of family-scale park amenities as well as considerable permanent protection and restoration of a critical area in the Big Darby watershed.

**Community Input/Issues:** The Department has conducted regular and ongoing engagement with the Westland community during the past 3 years. This also includes dialogue with conservation agencies and key public and private stakeholders surrounding the property.

**Area(s) Affected:** Westland (52)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by providing quality recreational parks and paths while offering easy connectivity for Columbus residents of all ages.

**Fiscal Impact:** No fiscal action is required at this time.

To authorize the Director of the Recreation and Parks Department to enter into a Property Donation Agreement and to accept certain real estate from Metro Development II LLC, located at 6420 Hall Road in the City's Westland Area (PID 246-317168 and PID 246-317169); to dedicate the collective property as public parkland; and to name the parkland the Rowland S. Giller III Family Park. (\$0.00)

**WHEREAS**, the Recreation and Parks Department was offered a land donation from Metro Development II LLC, located at 6420 Hall Road in the City’s Westland Area (PID 246-317168 and PID 246-317169) and consisting of approximately 126.3 acres of contiguous property on the city’s west side, along Hall Road and Galloway Road (the “Property”); and

**WHEREAS**, the Property is former farmland, and will become a future park space and natural area; and

**WHEREAS**, the Property lies within the Big Darby Creek watershed, and is categorized by the Big Darby Accord Plan as Tier 1 conservation lands to help protect the water quality of one of Ohio’s most unique environmental resources; and

**WHEREAS**, it is necessary to authorize the Director of the Recreation and Parks to enter into a property donation agreement and to accept in good faith certain real estate from Metro Development II LLC, located at 6420 Hall Road in the City’s Westland Area (PID 246-317168 and PID 246-317169) and to dedicate the collective property as public parkland and to name the parkland the Rowland S. Giller III Family Park; and

**WHEREAS**, it is necessary to authorize the Director of the Recreation and Parks Department to enter into a Property Donation Agreement to accept and dedicate the Property as parkland; and

**WHEREAS**, the Property Donation Agreement contemplates the Property will be named the Rowland S. Giller III Family Park; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Recreation and Parks Department be and is hereby authorized to enter into a Property Donation Agreement and to accept certain real estate from Metro Development II LLC, located at 6420 Hall Road in the City’s Westland Area (PID 246-317168 and PID 246-317169) consisting of approximately 126.3 acres; to dedicate the collective property as public parkland; and to name the parkland the Rowland S. Giller III Family Park.

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

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**Legislation Number:** 3115-2023

**Drafting Date:** 11/1/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division for snow removal and salting services for facilities under the purview of the Facilities Management Division. This contract was competitively bid and provides for an initial term with four (4) annual renewal options. The initial term for this contract will be for the period January 1, 2024 through December 31, 2024. A listing of specific locations can be viewed in the attachment to this ordinance.

Formal bids were solicited and the city received one bid on October 17, 2023 (0 FBE, 0 MBE):

Winnsapes. Inc. \$236,058.80, non MBE/FBE

The Facilities Management Division recommends that the bid be awarded to the sole responsive bidder, Winnsapes, Inc..

Winnsapes, Inc. Contract Compliance No.CC-005033/Vendor # 005033, expiration date October 10, 2025.

**Fiscal Impact:** This ordinance authorizes the expenditure of \$236,058.80 from the General Fund with Winnsapes, Inc. for snow removal services for locations under the purview of the Facilities Management Division. The Facilities Management Division spent \$199,365.69 from General Fund operating budget for these services in 2023.

To authorize the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division with Winnsapes, Inc. for snow removal services for locations under the purview of the Facilities Management Division; and to authorize the expenditure of \$236,058.80 from the General Fund. (\$236,058.80)

**WHEREAS**, the Facilities Management Division solicited formal bid requests for snow removal services for locations under the purview of the Facilities Management Division; and

**WHEREAS**, Winnsapes, Inc. was the sole responsive and responsible bidder; and

**WHEREAS**, it is necessary to authorize a contract and expenditure of \$236,058.80 from the General Fund; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Finance and Management to authorize the Director to enter into contract with Winnsapes, Inc. for snow removal services for locations under the purview of the Facilities Management Division; **now, therefore**

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Facilities Management Division with Winnsapes, Inc. for snow removal services for locations under the purview of the Facilities Management Division.

**SECTION 2.** That the expenditure of \$236,058.80, or so much thereof as may be needed, is hereby authorized in the General Fund 1000, in Object Class 03 Contractual Services per the accounting codes in the attachment to this ordinance.

**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 this ordinance shall take effect and be in force from and after the earliest period allowed

by law.

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**Legislation Number:** 3116-2023

**Drafting Date:** 11/1/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

The Development Services Special Revenue Fund was created to support the activities of the Department of Building and Zoning Services and other agencies charged with the review of private development, construction review, and inspection processes. This fund is supported solely by fees collected from the users of these services associated directly with the private development, construction review, and inspection processes. The current fee structure has been fully reviewed and compared to the actual cost incurred by the Department of Building and Zoning Services and other reviewing agencies and partners. As a result of this review, most fees have been increased, primarily targeting larger projects, whereas fees for smaller projects will only experience slight increases. Additionally, certain fees have been streamlined and consolidated to make it easier for developers, contractors and homeowners to better anticipate development and construction related costs. These proposed fee schedule changes have been reviewed by the Building Services Review Council (BSRC). **FISCAL IMPACT:** Fees have been revised to better reflect the City's actual costs associated with the private development processes.

To adopt a new Combined Development Related Fee Schedule for the Departments of Building and Zoning Services, Public Service, and Public Safety, to be effective on Tuesday, January 16, 2024 and enforced on and after that date.

**WHEREAS**, the Development Services Special Revenue Fund was created to support the activities of the Department of Building and Zoning Services and other agencies charged with the review of private development and construction review process; and

**WHEREAS**, the cost of all private development and construction review and inspection services were to be made self-sustaining through the creation of a special revenue fund called the Development Services Special Revenue Fund; and

**WHEREAS**, this fund is supported solely by fees collected from the users of these services associated directly with the private development and construction review and inspection process; and

**WHEREAS**, the current fee structure has been fully reviewed and compared to the actual cost incurred by the Department of Building and Zoning Services and other reviewing agencies and partners; and

**WHEREAS**, as a result of this review, some fees have decreased, some have increased, while others have been simplified and condensed to make it easier for developers, contractors, and homeowners to better anticipate development and construction related costs; and

**WHEREAS**, these proposed fee schedule changes have been reviewed by the Building Services Review Council (BSRC); and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Building and Zoning Services to adopt a new Combined Development Related Fee Schedule for the Departments of Building and Zoning Services, Public Service, and Public Safety, to be effective on Tuesday, January 16, 2024; **NOW,**

**THEREFORE,**

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

**SECTION 1.** That the attached revised Combined Development Related Fee Schedule for the Departments of Building and Zoning Services, Public Service and Public Safety, as authorized by City Codes Section 4103.14,



shall be incorporated fully as if set out at length herein and shall be utilized as the fee schedule for all functions and fees subject to it and shall become effective on January 16, 2024 and enforced on and after that date.

**SECTION 2.** That the funds necessary for any refunds are hereby deemed appropriated.

**SECTION 3.** That the existing Combined Development Related Fee Schedule, adopted by Ordinance #3258-2018, which became effective January 14, 2019, and all amendments thereto, is hereby repealed upon the effective date of the new Combined Development Related Fee Schedule.

See Attached File: 2024 Combined Development Related Fee Schedule.pdf

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

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**Legislation Number:** 3128-2023

**Drafting Date:** 11/2/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Utilities to enter into a construction contract with Shelly and Sands, Inc. for the Roosevelt Drive Area Water Line Improvements, CIP No. 690236-100123, in an amount up to \$3,744,932.40, and to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00, for a total expenditure of \$3,746,932.40.

Work consists of the rehabilitation of approximately 9,200 linear feet of 6-inch and 8-inch water mains, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material Specifications as set forth in the Invitation For Bid (IFB). Work is to be performed on the following streets: the alley South of Bellwood Avenue; the alley South of Ruhl Avenue; Bellwood Avenue; North Roosevelt Avenue; Ruhl Avenue; Eastmoor Boulevard; Enfield Road; Hampshire Road; South Chesterfield Road; South Kellner Road; Templeton Road; and the alley north of East Main Street near South Chesterfield Road.

The Community Planning Area is "57 - Mid East".

## TIMELINE

All work shall be complete within 270 calendar days from the Notice to Proceed. The City anticipates issuing a Notice to Proceed in February 2024.

## ESTIMATED COST OF PROJECT

The bid amount and proposed award amount is \$3,744,932.40, including a 10% construction contingency amount that will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract if unforeseen difficulties are encountered.

Cost summary:

Original Contract	\$3,744,932.40
Future Anticipated Needs	\$ 0.00
CONTRACT TOTAL	\$3,744,932.40
DPS Prevailing Wage Administration	<u>\$ 2,000.00</u>

\$3,746,932.40

Construction Administration/Inspection will be performed by Prime AE, Inc.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The goal of this project is to replace or rehabilitate the existing water lines that have a high break frequency. Replacement of these water lines will improve water service, decrease burden on water maintenance operations, and reduce water loss. The Neighborhood Liaison(s) was contacted and informed of this project during the design phase. Further community outreach may result through the Neighborhood Liaison Program.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bid Express websites from September 13, 2023, through October 18, 2023. Three bids were received:

<u>Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Status</u>
Shelly & Sands, Inc.	\$3,744,932.40	Columbus, OH	MAJ
Danbert, Inc	\$3,965,546.17	Plain City, OH	MAJ
Elite Excavating Co. of Ohio, Inc.	\$4,076,204.00	Columbus, OH	MAJ

All bids were deemed responsive. Shelly & Sands, Inc.'s certification was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

Shelly & Sands, Inc.'s contract compliance number is CC006043 and expires 2/3/24. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Shelly & Sands, Inc.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 8% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 8.0% for this contract.

A part of their proposal, Shelly & Sands, Inc. has proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CAP-Stone	Columbus, Ohio	WBE
BOCA Construction	Norwalk, Ohio	MAJ
Concrete Cutting and Breaking, Inc.	Columbus, Ohio	MAJ
Griffin Pavement Striping, Inc.	Columbus, Ohio	MAJ
Paul Peterson Co., Inc.	Columbus, Ohio	MAJ
Follow the River Environmental	McConnelsville, Ohio	EBE

The certification of the above companies was in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

Shelly & Sands, Inc. and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Codes Chapter 329.

**7. FISCAL IMPACT**

Funding for this contract will be obtained through the Ohio Water Development Authority Direct Loan Program. City Council authorized this loan application and acceptance of loan funding via Ordinance 0997-2023, passed by Council on 4/24/23. Roosevelt Drive Area Water Line Improvements, CIP No. 690236-100123, is not listed as a project anticipated to be funded through this loan program in Ordinance 0997-2023. Section 2 of the Ordinance allows the Director of the Department of Public Utilities to add projects to the list per departmental need.

The Ohio Water Development Authority (OWDA) Direct Loan Program is a reimbursement program. Purchase orders will need to be established to Shelly & Sands for this contract. Public Utilities will pay invoices directly to Shelly & Sands and then submit reimbursement requests to OWDA based upon these paid invoices for OWDA to reimburse Public Utilities.

A transfer of funds from the Water Reserve Fund, Fund 6003, to the Water Fresh Water Market Rate Fund, Fund 6014, in the amount of \$3,744,932.40, is needed to fund this contract. This transaction is a temporary measure that is required until a loan is executed with OWDA to reimburse the Reserve Fund. The loan is expected to be approved in December, 2023. These funds will need to be appropriated in the Water Reserve Fund, Fund 6003, to be transferred and then appropriated after transfer to the Water Fresh Water Market Rate Fund, Fund 6014. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project.

Funds in the amount of \$2,000.00 are budgeted, available, and appropriated within the Water Bond Fund, Fund 6006, to pay the Department of Public Service to provide prevailing wage services for this project.

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Shelly and Sands, Inc., for the Roosevelt Drive Area Water Line Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of funds from the Water Reserve Fund to the Water Fresh Water Market Rate Fund; to authorize the appropriation of funds; and to authorize the expenditure of up to \$3,746,932.40 from the Water Fresh Water Market Rate Fund and the Water Bond Fund. (\$3,746,932.40)

**WHEREAS**, the Department of Public Utilities is engaged in the Roosevelt Drive Area Water Line Improvements project; and

**WHEREAS**, Three bids for the Roosevelt Drive Area Water Line Improvements project were received and opened on October 18, 2023; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction services contract with Shelly & Sands, Inc. for the Roosevelt Drive Area Water Line Improvements project; and

**WHEREAS**, Ordinance 0997-2023 authorized the use of loans from the Ohio Water Development Authority (OWDA) Direct Loan Program to finance Public Utilities projects; and

**WHEREAS**, a loan application will be submitted to OWDA to finance this project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper

project; and

**WHEREAS**, it is necessary to both appropriate and transfer funds between the Water Reserve Fund and the Water Fresh Water Market Rate Fund; and

**WHEREAS**, it is necessary to appropriate funds in the Water Fresh Water Market Rate Fund; and

**WHEREAS**, it is necessary to expend funds from the Water Fresh Water Market Rate Fund and the Water Bond Fund to pay for the construction of this project; **NOW, THEREFORE**,

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change**

6014/ 690236-100123 / Roosevelt Drive Area Water Line Improvements (OWDA Direct Loan) / \$0.00 / \$3,744,933.00 / \$3,744,933.00 (To match loan amount)

6006/ 690236-100085 / Livingston Avenue Area 12” WL Imp’s (Voted Water Carryover) / \$44,621.00 / \$43,143.00 / (\$1,478.00)

6006/ 690236-100123 / Roosevelt Drive Area Water Line Improvements (Voted Water Carryover) / \$450,000.00 / \$451,478.00 / \$1,478.00

**SECTION 2.** That from the unappropriated monies 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, 2023, the sum of \$3,744,932.40 is appropriated in Fund 6003 (Water Reserve Fund) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$3,744,932.40, or so much thereof as may be needed, is hereby authorized between the Water Reserve Fund (Fund 6003) and the Water Fresh Water Market Rate Fund (Fund 6014) per the accounting codes in the attachment to this Ordinance.

**SECTION 4.** That the Director of the Department of Public Utilities is hereby authorized to enter into a construction services contract for the Roosevelt Drive Area Water Line Improvements project with Shelly & Sands, Inc., 1515 Harmon Ave., Columbus Ohio 43223, in an amount up to \$3,744,932.40, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to obtain the necessary prevailing wage services from the Department of Public Service and to pay up to a maximum amount of \$2,000.00 for them.

**SECTION 5.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$3,744,932.40 is appropriated in Fund 6014 (Water Fresh Water Market Rate Fund) per the account codes in the attachment to this ordinance.

**SECTION 6.** That an expenditure not to exceed \$3,746,932.40 is authorized from Fund 6014 (Water Fresh Water Market Rate Fund) and Fund 6006 (Water Bond Fund) to pay Shelly & Sands for the Roosevelt Drive Area Water Line Improvements project per the accounting codes in the attachment to this Ordinance.

**SECTION 7.** That upon obtaining other funds for the purpose of funding sewer system and water system capital improvement work, the City Auditor is hereby authorized to repay the Water Reserve Fund, Fund 6003,

the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

**SECTION 8.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$3,744,932.40 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water Reserve Fund, Fund 6003, which are the funds from which the advance for costs of the Project will be made.

**SECTION 9.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 3135-2023

**Drafting Date:** 11/2/2023

**Version:** 1

**Current Status:** Passed

**Matter:** Ordinance

**Type:**

**BACKGROUND:**

This ordinance authorizes the Director of the Finance and Management Department, on behalf of the Department of Technology (DoT), to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing the State Master Cloud Service Agreement -- MCSA0016, for the procurement of various Adobe software application products through a Large Government Agency Agreement (LGA).

Adobe has historically focused on the creation of multimedia and creativity software products, with a more recent foray towards digital marketing software. Adobe is best known for its Photoshop image editing software, Acrobat Reader and Acrobat, the Portable Document Format (PDF), and Adobe Creative Suite, as well as its successor Adobe Creative Cloud. City departments use Adobe software to improve efficiency and enhance communications while meeting requirements such as HIPPA compliance.

Pricing for the above-described services was obtained via the State Master Cloud Service Agreement - MCSA0016. The two vendors approved to provide pricing through this vehicle are Software House International (SHI) and Brown Enterprise Solutions, LLC. Brown's pricing overall was lower than that submitted by SHI. As such, DoT recommends awarding the bid to Brown Enterprise Solutions, LLC, for \$229,438.22. Of this total, \$188,349.38 is for the continuation of 1,061 licenses. The balance of \$41,088.84 is contingency funds in the

event additional licenses are needed.

The term of the contract will be for one year, from March 30, 2024, to March 29, 2025. This ordinance also authorizes the expenditure of up to \$229,438.22 for the above-described purpose. Finally, because only two (2) bids were received, the department requests a waiver of the relevant sections of Chapter 329 of Columbus City Codes pertaining to competitive bidding.

The City of Columbus has been utilizing the State of Ohio Adobe product STS for several years now. The reason for using this contract has been due to Adobe having shared that we will get better pricing from this contract than having our own UTC. The Department of Technology is requesting the continued use of this contract to keep our existing subscription portal in place and continue to add any new subscriptions to this portal. DoT has reached out to all three resellers listed on the STS. Brown Enterprise Solutions, LLC provided the lowest and best bid.

**FISCAL IMPACT:**

The cost associated with this legislation for Brown Enterprise Solutions, LLC, to purchase Adobe software application products is \$229,438.22. Funding for this purchase is budgeted and available in the Department of Technology, Information Services Division, and Information Service Operating Fund.

**CONTRACT COMPLIANCE:**

Vendor Name: Brown Enterprise Solutions, LLC; EBO\_CC#010668 Expiration: March 3, 2024, EBO\_MBE#010668 Expiration: December 31, 2023.

To authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency agreement (LGA) for the Department of Technology and various other city agencies; to waive the competitive bidding provisions of City code; and to authorize the expenditure of \$229,438.22 for the above-described purpose. (\$229,438.22)

**WHEREAS**, various city agencies utilize Adobe products in their daily operations; and

**WHEREAS**, the current Adobe contract expires on March 29, 2024; and

**WHEREAS**, only two (2) bids were received in response to a Department of Technology solicitation for various Adobe products; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology (DoT), to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing the State Master Cloud Service Agreement -- MCSA0016, to procure various Adobe software applications products through a Large Government Agency Agreement (LGA); and

**WHEREAS**, it is also necessary to authorize the expenditure of \$229,438.22 for the purchase of the above-described Adobe products; and

**WHEREAS**, it has become necessary to authorize the Director of the Finance and Management Department, on behalf of the Department of Technology, to establish a purchase order with Brown Enterprise Solutions, LLC., utilizing State Master Cloud Service Agreement - MCSA0016, to procure various Adobe software applications products at a cost of \$229,438.22, thereby preserving the public health, peace, property, safety, and welfare; **NOW, THEREFORE:**

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

**SECTION 1.** That the Finance and Management Director be and is hereby authorized to establish a purchase order with Brown Enterprise Solutions, LLC, utilizing State Master Cloud Service Agreement - MCSA0016 for the procurement of various Adobe software application products through a Large Government Agency Agreement (LGA) for the Department of Technology and various other city agencies at a cost of \$229,438.22, for a term of one year, beginning on March 30, 2024 through March 29, 2025.

**SECTION 2.** That the expenditure of \$229,438.22, or so much thereof as may be necessary, is hereby authorized as provided on the attachment of this ordinance. (see **attachment 3135-2023 EXP**).

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

**SECTION 4.** That the 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 relevant sections of Section 329 of the Columbus City Code relating to competitive bidding are hereby waived.

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

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**Legislation Number:** 3146-2023

**Drafting Date:** 11/3/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into professional services contracts with CHA Consulting, Inc. in the amount of up to \$400,000.00 for the Roadway - Leonard Avenue Improvements under RR Bridge project.

The intent of this project is to provide the City of Columbus, Department of Public Service, professional engineering services for the design of roadway, pedestrian, drainage, and lighting improvements under the Leonard Avenue railroad bridge between the intersections of 5th at Leonard Avenue and 5th at Leonard Avenue/Woodland Avenue. Design will advance the concept for improvements that concluded from the preliminary investigations previously completed.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Leonard Avenue Improvements under RR Bridge contract. The project was formally advertised on the Vendor Services and Bonfire web sites from August 9, 2023, to September 6, 2023. The city received one (1) response. The proposal was deemed responsive and was fully evaluated when the Evaluation Committee met on September 11, 2023. The responding firm was:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
CHA Consulting, Inc.	Columbus, OH	MAJ

CHA Consulting, Inc. received the highest score by the evaluation committee and will be awarded the Roadway - Leonard Avenue Improvements under RR Bridge contract.

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

CHA Consulting, Inc.'s certification was in good standing at the time the bid was awarded.

As part of their bid CHA Consulting, Inc. has proposed the following 2 subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
2LMN	Columbus, Ohio	MBE
Surveying and Mapping, LLC	Westerville, Ohio	MAJ

## **2. CONTRACT COMPLIANCE**

CHA Consulting, Inc.'s contract compliance number is CC000802 and expires 03/08/2025.

## **3. FISCAL IMPACT**

Funding for this contract is available and appropriated within Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2023 Capital Improvement Budget and a transfer of cash and appropriation is required to establish sufficient budget authority for the project.

## **4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the "City of Columbus MBE/WBE Program Special Provision" that were part of the bid documents for this contract.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a professional services contract with CHA Consulting, Inc. for the Roadway - Leonard Avenue Improvements under RR Bridge project; to authorize the expenditure of up to \$400,000.00 from the Streets and Highways Bond Fund to pay for this project. (\$400,000.00)

**WHEREAS**, there is a need to enter into a professional services contract to provide for engineering services for the design of roadway, pedestrian, drainage, and lighting improvements under the Leonard Ave railroad bridge between the intersections of 5th at Leonard and 5th at Leonard/Woodland; and

**WHEREAS**, the Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Leonard Avenue Improvements under RR Bridge project; and

**WHEREAS**, CHA Consulting, Inc. submitted the best overall proposal for this project; and

**WHEREAS**, it is necessary to enter into a contract with CHA Consulting, Inc. for the provision of professional engineering consulting services described above in the amount of up to \$400,000.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds and appropriation within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, this contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and



**WHEREAS**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City’s Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; **now, therefore**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by ordinance 1711-2023 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P540007-100060 / TSI - Columbus Traffic Signal System Ph F (Voted Carryover) / \$1,024,999.00 / (\$400,000.00) / \$624,999.00

7704 / P530161-100221 / Roadway - Leonard Ave. Improvements under RR Bridge (Voted Carryover) / \$0.00 / \$400,000.00 / \$400,000.00

**SECTION 2.** That the transfer of \$400,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5913 (Traffic Management), Project P540007-100060 (TSI - Columbus Traffic Signal System Ph F), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100221 (Roadway - Leonard Ave. Improvements under RR Bridge), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be, and hereby is, authorized to enter into a professional services contract with CHA Consulting, Inc. at 471 East Broad Street, Suite 2010, Columbus, OH 43215, for the Roadway - Leonard Avenue Improvements under RR Bridge project in an amount up to \$400,000.00.

**SECTION 4.** That the expenditure of \$400,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100221 (Roadway - Leonard Ave. Improvements under RR Bridge), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 3163-2023

Drafting Date: 11/6/2023

Version: 1

Current Status: Passed

Matter: Ordinance

Type:

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a contract with GPD Group for professional services and construction services for the Circuit 7221 Voltage Conversion, Phase I project, CIP #670799-100001, in an amount up to \$586,042.00.

The City of Columbus, Division of Power (DOP), intends to complete the conversion of the remaining portion of the electrical power distribution system from a 7,200 V delta configuration to a 14.4 kV grounded-wire system. The existing 7,200 V delta system consists of three circuits (Circuits 7220, 7221, and 7223) that originate from the DOP’s 14.4 kV - 7,200 V North Substation. These three circuits are to be converted to 14.4 kV by extending the existing 14.4 kV circuits in the same areas, as necessary, to serve all existing DOP customers on these 7,200 V circuits. The existing 7,200 V equipment shall be replaced as needed, including but not limited to transformers, switches, surge arresters, and other line equipment. These projects will also include circuit extensions and equipment installations to make the DOP power distribution system more robust and reliable upon project completion.

The work to be performed under the GPD contract includes project management, field survey, detailed design, preparation of construction drawings, obtaining permits necessary for the construction work, engineering services during construction, and preparation of record plan drawings.

The Community Planning Area is 99 Citywide.

**TIMELINE:** The term of the contract will be until the conversion work is complete and accepted by the Division of Power, which is anticipated to be eight years, ending approximately December 2031. The contract work is expected to be done in five phases as shown below:

- Phase 1 - January 2024 - December 2026
- Phase 2 - January 2025 - December 2027
- Phase 3 - January 2026 - December 2028
- Phase 4 - January 2027 - December 2029
- Phase 5 - January 2028 - December 2031

**ESTIMATED COST OF PROJECT:** The initial contract amount will be for the Phase 1 amount of \$586,042.00. Future contract modifications will be necessary for services as needs dictate. The estimated amounts needed for future contract phases and the estimated total contract amount are listed below.

Cost summary:

Phase 1 (current)	\$586,042.00
Phase 2	\$650,000.00
Phase 3	\$700,000.00
Phase 4	\$750,000.00
<u>Phase 5</u>	<u>\$800,000.00</u>

ESTIMATED CONTRACT TOTAL \$3,486,042.00

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project will construct a more resilient and reliable power distribution system. This will result in fewer power interruptions to the customers on these circuits, minimizing any economic impacts due to power outages.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bonfire websites and opened 9/29/23. Two proposals were received:

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
GPD Group	CC006560 5/24/2025	Columbus, OH	MAJ
ms consultants	CC006998 12/28/2023	Columbus, OH	MAJ

All proposals were deemed responsive. The evaluation committee reviewed the proposals and recommended the contract for the Circuit 7221 Voltage Conversion, Phase I project be awarded to GPD Group.

GPD Group’s certification was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

GPD Group’s contract compliance number is CC-006560 and expires 5/24/2025. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against GPD Group.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 10% as assigned by the City’s Office of Diversity and Inclusion (ODI). After ODI’s review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 10% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the bid documents for this contract.

As part of their proposal, GPD Group has proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Resource International, Inc.	Columbus, OH	WBE

The certification of GPD Group and the above listed company was in good standing at the time the bid was awarded.

**6. FISCAL IMPACT**

Funding in the amount of \$586,042.00 is available and appropriated within the Electricity Bond Fund, Fund 6303. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash and appropriation between projects within the Electricity Bond Fund is needed to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a professional services contract with GPD Group for the Circuit 7221 Voltage Conversion, Phase I project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation between projects within the

Electricity Bond Fund; and to authorize an expenditure of \$586,042.00 from the Electricity Bond Fund for this contract. (\$586,042.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Circuit 7221 Voltage Conversion, Phase I project; and

**WHEREAS**, two proposals for the Circuit 7221 Voltage Conversion, Phase I project were received and evaluated by the evaluation committee; and

**WHEREAS**, the evaluation committee recommended GPD Group be awarded the contract for this project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a professional services contract with GPD Group for the Circuit 7221 Voltage Conversion, Phase I project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Electricity Bond Fund, Fund 6303, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Electricity Bond Fund, Fund 6303, to pay for the contracted services for the project; **NOW, THEREFORE,**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

<u>Fund</u>	<u>/</u>	<u>Project Number</u>	<u>/</u>	<u>Project Name (Funding Source)</u>	<u>/</u>	<u>Current Authority</u>	<u>/</u>	<u>Revised Authority</u>	<u>/</u>	<u>Change</u>
6303	/	670896-100000	/	Refugee Road Street Lights (Voted Electricity Carryover)	/	\$730,355.00	/	\$544,313.00	/	(\$186,042.00)
6303	/	670799-100001	/	Circuit 7221 Voltage Conversion, Phase I (Voted Electricity Carryover)	/	\$400,000.00	/	\$586,042.00	/	\$186,042.00

**SECTION 2.** That the transfer of \$186,042.00, or so much thereof as may be needed, is hereby authorized within the Electricity Bond Fund, Fund 6303, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Utilities is hereby authorized to enter into a professional services contract for the Circuit 7221 Voltage Conversion, Phase I project with GPD Group, 1801 Watermark Dr., Columbus, OH 43215, in an amount up to \$586,042.00, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities.

**SECTION 4.** That the expenditure of \$586,042.00, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry

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

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**Legislation Number:** 3167-2023

**Drafting Date:** 11/6/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to enter into contract with Shelly and Sands, Inc., for the Intersection Improvements - Dublin-Granville Road at Ulry Road project and to provide payment for construction, construction administration and inspection services.

This project consists of improvements to the intersection of Dublin-Granville Road and Ulry Road. Turn lanes will be constructed at the intersection of Dublin-Granville and Ulry Roads, and a two-way left turn lane will be constructed on Dublin-Granville Road between Ulry Road and Old Hamilton Road. A shared-use path (SUP) will be added on the south side of Dublin-Granville Road and a sidewalk will be added on the north side of Dublin-Granville Road. Work also includes traffic signal, interconnect, traffic control, lighting, and drainage improvements, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is January 18, 2024. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on October 17, 2023, (all majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Decker Construction Company	\$4,023,630.21	Columbus, Ohio	MAJ
Complete General Construction	\$4,061,642.80	Columbus, Ohio	MAJ
Shelly & Sands, Inc.	\$4,128,681.21	Columbus, Ohio	MAJ
Strawser Paving Company, Inc.	\$4,542,582.44	Columbus, Ohio	MAJ

Award is to be made to Shelly & Sands, Inc. as the company that submitted the lowest, most comparable bid of \$4,128,681.21. The amount of construction administration and inspection services will be \$412,868.10. The total legislated amount is \$4,541,549.31.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Shelly & Sands, Inc.

Shelly & Sands, Inc.’s certification was in good standing at the time the bid was awarded.

As part of their bid, Shelly & Sands, Inc. has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Boca Construction Inc.	Norwalk, OH	MAJ
Complete Clearing Inc	Marengo, OH	MAJ
Complete General Construction	Columbus, OH	MAJ
Concrete Cutting & Breaking	Columbus, OH	MAJ
Environmental Mgt Inc	Plain City, OH	MAJ
Hurts Trucking and Demo	Marysville, OH	MBE
Griffin Pavement	Columbus, OH	MAJ
MP Dory Co	Columbus, OH	MAJ
Paul Peterson Company	Columbus, OH	MAJ
Phenix Stabilization	Columbus, OH	MAJ
TFR Construction	Columbus, OH	MBE
WL Markers	Columbus, OH	MAJ
Follow the River Environmental	Columbus, OH	MAJ

**2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for Shelly & Sands, Inc. is 006043 and expires 2/3/2024.

**3. PRE-QUALIFICATION STATUS**

Shelly & Sands, Inc. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Codes Chapter 329.

**4. FISCAL IMPACT**

Funds in the amounts of \$1,012,199.31 are budgeted and available for this project in Fund 4421, the Rocky Fork TIF Fund. It is necessary to appropriate these funds, transfer them to Fund 7421 (Rocky Fork TIF Capital Fund) and appropriate the funds in Fund 7421 so they can be expended.

Funds in the amounts of \$2,537,505.39 are budgeted and available for this project in Fund 7438, the Preserve TIF Fund. Funds in the amounts of \$51,744.64 are budgeted and available for this project in Fund 7439, the Dublin Granville South TIF Fund. Funds in the amounts of \$621,549.97 are budgeted and available for this project in Fund 7440, the Dublin Granville North TIF Fund. Funds in the amounts of \$318,550.00 are budgeted and available for this project in Fund 7772, the Northeast Corridor Pay as We Grow Fund. It is necessary to transfer funds within the funds, to align spending in the proper project. Funds will need to be appropriated.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS**

**ENTERPRISE PROGRAM**

This contract was bid with an assigned City of Columbus MBE/WBE Program goal of 15% as provided by the Office of Diversity and Inclusion (ODI). None of the submitted bids achieved the MBE/WBE Program goal. Decker Construction Company and Complete General Construction Company submitted lower bids than Shelly & Sands, Inc. However, after consideration of all bids and supporting documentation, ODI determined that Shelly & Sands, Inc., with an MBE/WBE attainment rate of 14.39%, was the lowest most comparable bid that comes closest to meeting the MBE/WBE Program goal. ODI stated it is their position that award should be to the lowest most comparable bid, the third low bidder, Shelly & Sands, Inc. Failure by the contractor to meet this

goal subjects the contractor to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that were part of the bid documents for this contract.

To appropriate funds within the Rocky Fork TIF Fund, Rocky Fork TIF Capital Fund, Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund, and the Northeast Corridor Pay as We Grow Fund; to authorize the City Auditor to transfer cash between the Rocky Fork TIF Fund and the Rocky Fork TIF Capital Fund; to authorize the City Auditor to transfer within the Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund and the Northeast Corridor Pay as We Grow Fund; to authorize the Director of the Department of Public Service to enter into contract with Shelly and Sands, Inc. for the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and to authorize the expenditure of \$4,541,549.31 split among the Rocky Fork TIF Capital Fund, Preserve TIF Fund, Dublin Granville South TIF Fund, Dublin Granville North TIF Fund, and the Northeast Corridor Pay as We Grow Fund for the project. (\$4,541,549.31)

**WHEREAS**, the Department of Public Service is engaged in the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and

**WHEREAS**, the work for this project consists of improvements to the intersection of Dublin-Granville Road and Ulry Road. Turn lanes will be constructed at the intersection of Dublin-Granville and Ulry Roads, and a two-way left turn lane will be constructed on Dublin-Granville Road between Ulry Road and Old Hamilton Road. A shared-use path (SUP) will be added on the south side of Dublin-Granville Road and a sidewalk will be added on the north side of Dublin-Granville Road. Work also includes traffic signal, interconnect, traffic control, lighting, and drainage improvements, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents; and

**WHEREAS**, Shelly & Sands, Inc. will be awarded the contract for the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Intersection Improvements - Dublin-Granville Road at Ulry Road project for construction expenses along with construction administration and inspection services; and

**WHEREAS**, funds must be appropriated within the Rocky Fork TIF Fund, Fund 4421 and the Rocky Fork TIF Capital Fund, Fund 7421 and transferred between these two funds; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds within Fund 7438, the Preserve TIF Fund, Fund 7439, the Dublin Granville South TIF Fund, Fund 7440, the Dublin Granville North TIF Fund, and Fund 7772, the Northeast Corridor Pay as We Grow Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, funds must be appropriated within the Fund 7438, the Preserve TIF Fund, Fund 7439, the Dublin Granville South TIF Fund, Fund 7440, the Dublin Granville North TIF Fund, and Fund 7772, the Northeast Corridor Pay as We Grow Fund; and

**WHEREAS**, it is necessary to authorize expenditure of funds relative to the work for the project; and

**WHEREAS**, this contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI); and

**WHEREAS**, ODI determined that Shelly & Sands, Inc., with an MBE/WBE attainment rate of 14.39%, was the lowest most comparable bid that comes closest to meeting the MBE/WBE Program goal and should be awarded the contract; and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; **NOW, THEREFORE**,

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

**SECTION 1.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$1,012,199.31 is appropriated in Fund 4421 (Rocky Fork TIF), Dept-Div 4402 (Economic Development), in Object Class 10 (Transfer Out) per the account codes in the attachment to this ordinance.

**SECTION 2.** That the transfer of \$1,012,199.31 or so much thereof as may be needed, is hereby authorized from Fund 4421 (Rocky Fork TIF), Dept-Div 4402 (Economic Development) to Fund 7421 (Rocky Fork TIF Capital Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$2,537,505.39, or so much thereof as may be needed, is hereby authorized within Fund 7438 (Preserve TIF Fund), from Dept-Div 4402 (Economic Development), Project P743802-100000 (HQ-City Improvement Commitments), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Rd), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$51,744.64, or so much thereof as may be needed, is hereby authorized within Fund 7439 (Dublin Granville South TIF), from Dept-Div 4402 (Economic Development), Project P743802-100000 (HQ-City Improvement Commitments), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Rd), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$621,549.97, or so much thereof as may be needed, is hereby authorized within Fund 7440 (Dublin Granville North TIF), from Dept-Div 4402 (Economic Development), Project P743802-100000 (HQ-City Improvement Commitments), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Rd), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 6.** That the transfer of \$318,550.00, or so much thereof as may be needed, is hereby authorized within Fund 7772 (Northeast Corridor Pay as We Grow), from Dept-Div 4402 (Economic Development), Project P743802-100000 (HQ-City Improvement Commitments), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Rd), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.



ordinance.

**SECTION 7.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$1,012,199.31 is appropriated in Fund 7421 (Rocky Fork TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 8.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$2,537,505.39 is appropriated in Fund 7438 (Preserve TIF Fund), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 9.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$51,744.64 is appropriated in Fund 7439 (Dublin Granville South TIF), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 10.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$621,549.97 is appropriated in Fund 7440 (Dublin Granville North TIF), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 11.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$318,550.00 is appropriated in Fund 7772 (Northeast Corridor Pay as We Grow), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 12.** That the Director of the Department of Public Service be and is hereby authorized to enter into a construction services contract with Shelly & Sands, Inc., located at 1515 Harmon Ave., Columbus, Ohio 43223, for the Intersection Improvements - Dublin-Granville Rd at Ulry Road project in the amount not to exceed \$4,128,681.21 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$412,868.10.

**SECTION 13.** That the expenditure of \$1,012,199.31, or so much thereof as may be needed, is hereby authorized in Fund 7421 (Rocky Fork TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 14.** That the expenditure of \$2,537,505.39, or so much thereof as may be needed, is hereby authorized in und 7438 (Preserve TIF Fund), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital

Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 15.** That the expenditure of \$51,744.64, or so much thereof as may be needed, is hereby authorized in Fund Fund 7439 (Dublin Granville South TIF), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 16.** That the expenditure of \$621,549.97, or so much thereof as may be needed, is hereby authorized in Fund 7440 (Dublin Granville North TIF), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 17.** That the expenditure of \$318,550.00, or so much thereof as may be needed, is hereby authorized in Fund 7772 (Northeast Corridor Pay as We Grow), Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Rd at Ulry Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 18.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 19.** 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 20.** 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 21.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3169-2023

**Drafting Date:** 11/6/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into professional services contracts with OHM Advisors (Orchard, Hiltz & McCliment, Inc.) in the amount of up to \$600,000.00 for the Roadway - Livingston Ave - Alum Creek Trail to James Rd project.

Additionally, this ordinance authorizes the Director of Public Service to enter into agreements with and to accept funds from the City of Bexley (Bexley) to advance the project; and to, as necessary, authorize the acceptance of additional funding from Bexley or the return of any unexpended design funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded without the need for additional legislative action.

The intent of this project is to provide the City of Columbus, Department of Public Service, additional resources for improvements to Livingston Avenue including replacement of the existing traffic signals at the intersections of College Avenue, Roosevelt Avenue, and Kenwick Road; replacement of sidewalk along both sides with shared use paths; modification to the existing pavement to remove the Berwick Blvd. connection from the intersection at Berwick Blvd. and College Avenue; street lighting upgrades; and addition of landscaped medians.

Having recognized the public benefit of said improvements, Bexley has allocated funding to support the completion of the design phase of the aforementioned project, necessitating the execution of contribution agreements, any amendments or modifications thereto, with Bexley to facilitate the acceptance and expenditure of said funds by the Department of Public Service for that purpose, and the refund of any funds that may be unused.

Future modifications of the contract are expected using funds contributed by Bexley.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Ave - Alum Creek Trail to James Rd contract. The project was formally advertised on the Vendor Services and Bonfire web sites from July 12, 2023, to August 9, 2023. The City received five (5) responses. All proposals were deemed responsive and were fully evaluated when the Evaluation Committee met on August 31, 2023. The responding firms were:

Company Name	City/State	Majority/ODI Certification
OHM Advisors	Columbus, OH	MAJ
E.L. Robinson Engineering of Ohio	Grandview Heights, OH	MAJ
Woolpert, Inc	Columbus, OH	MAJ
American Structurepoint	Columbus, OH	MAJ
GPD Group	Columbus, OH	MAJ

OHM Advisors received the highest score by the evaluation committee and will be awarded the Roadway - Livingston Ave - Alum Creek Trail to James Rd contract.

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

OHM Advisors certification was in good standing at the time the bid was awarded.

As part of their bid, OHM Advisors has proposed the following subcontractors to work on the project:

Company Name	City/State	Majority/ODI Certification
2LMN	Columbus, Ohio	MBE
Burgess & Niple	Columbus, Ohio	MAJ
NEAS	Columbus, Ohio	MBE
Lawhon & Associates	Columbus, Ohio	WBE
E.L. Robinson	Grandview Heights, Ohio	MAJ

**2. CONTRACT COMPLIANCE**

OHM Advisor’s contract compliance number is CC007505 and expires 10/16/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$600,000.00 is available and appropriated within the Streets and Highways Bond Fund, Fund 7704 within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget

and a transfer of funds are necessary to align funding for these project expenditures.

Future modifications of the contract are anticipated with a portion of the funding to come from the City of Bexley after the execution of a Contribution Agreement. Separate legislation authorizing the expenditure of these funds and the City's share of funding for this project will be put forth at a later time. The funds will be deposited in Fund 7766, the Street and Highway Improvement Fund when they arrive.

#### **4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the "City of Columbus MBE/WBE Program Special Provision" that were part of the bid documents for this contract.

To authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the City of Bexley; to, as necessary, authorize the acceptance of additional funds from the City of Bexley or to return any unused contributions to the same; to amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a professional services contract with OHM Advisors for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and to authorize the expenditure of up to \$600,000.00 from the Street and Highway Bond Fund to pay for this contract. (\$600,000.00)

**WHEREAS**, the City of Bexley intends to contribute funding to subsidize the cost of professional engineering services necessary to the successful completion of the design phase of the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and

**WHEREAS**, the Director of Public Service must execute contribution agreements, and any amendments or modifications thereto, with the City of Bexley to facilitate the acceptance and expenditure of funding by the Department of Public Service for the aforementioned purpose; and

**WHEREAS**, it may be necessary to accept additional funds from the City of Bexley if the actual design costs exceed the preliminary cost estimate; and

**WHEREAS**, it may be necessary to issue a refund the City of Bexley after final accounting has been performed or after the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded, without the need for additional legislative action; and

**WHEREAS**, there is a need to enter into a professional services contract to provide for the Improvements to Livingston Avenue include replacement of the existing traffic signals at the intersections of College Avenue, Roosevelt Avenue, and Kenwick Road; replacement of sidewalk along both sides with shared use paths; modification to the existing pavement to remove the Berwick Blvd connection from the intersection at Berwick Blvd and College Avenue; street lighting upgrades; and addition of landscaped medians; and

**WHEREAS**, the Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and

**WHEREAS**, OHM Advisors submitted the best overall proposal for this project; and

**WHEREAS**, it is necessary to enter into a contract with OHM Advisors for the provision of professional engineering consulting services described above in the amount of up to \$600,000.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the

purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, this contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI); **now, therefore**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by ordinance 1711-2023 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P530161-100217 / Roadway - Livingston Ave-Nelson Rd to James Rd (Voted Carryover) / \$600,000.00 / (\$600,000.00) / \$0.00

7704 / P531081-100000 / Roadway - Livingston Ave - Alum Creek Trail to James Rd (Voted Carryover) / \$0.00 / \$600,000.00 / \$600,000.00

**SECTION 2.** That the transfer of \$600,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100217 (Roadway - Livingston Ave - Nelson Rd to James Rd), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531081-100000 (Roadway - Livingston Ave - Alum Creek Trail to James Rd), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be, and hereby is, authorized to enter into a professional services contract with OHM Advisors 580 North Fourth Street, Columbus, Ohio 43215, for the Roadway - Livingston Ave - Alum Creek Trail to James Rd project in an amount up to \$600,000.00.

**SECTION 4.** That the expenditure of \$600,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P531081-100000 (Roadway - Livingston Ave - Alum Creek Trail to James Rd), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the Director of Public Service be and hereby is authorized to enter into agreements with and to accept contributions from the City of Bexley for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project, and to modify those agreements if necessary to accept additional contributions from the City of Bexley for the design of the project.

**SECTION 6.** That the Director of Public Service be and hereby is authorized, as necessary, to accept additional funds from the aforementioned entity should the amounts of their initial deposits prove insufficient to support their respective share of actual design costs or to return any unexpended project funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining

funds are no longer needed for the project and can be refunded, without the need for additional legislative action.

**SECTION 7.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

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

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**Legislation Number:** 3175-2023

**Drafting Date:** 11/7/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to modify a professional services contract with Dynotec, Inc. to add additional funds for design of the Roadway Improvements - Sinclair Road Sidewalks.

Ordinance 1835-2018 authorized the Director of Public Service to enter into a professional services contract for \$146,766.12 with Dynotec, Inc. for the Roadway Improvements - Sinclair Road Sidewalks project. The contract scope included design of new sidewalk along both sides of Sinclair Road from Morse Road to Strimple Avenue and replacement of the culvert at Bull Moose Run.

Ordinance 0978-2020 authorized the Director of Public Service to modify the contract in the amount of \$320,000.00. This ordinance authorizes the Director of the Department of Public Service to modify the contract in the amount of \$20,000.00.

### 1.1 Amount of additional funds to be expended:

The original contract amount:	\$146,766.12 (PO130618, Ord. 1835-2018)
The total of Modification No. 1:	\$320,000.00 (PO226397, Ord. 0978-2020)
The total of Modification No. 2:	<u>\$ 20,000.00 (This Ordinance)</u>

The contract amount including all modifications: \$486,766.12

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

This modification is necessary to fund services during construction. The original contract had funding for this task, but the funding had to be used for additional design tasks that were not anticipated.

### 1.3 Reason other procurement processes are not used:

The original consultant is needed to address any questions or issues that arise during construction.

**1.4 How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Dynotec, Inc.

**2. CONTRACT COMPLIANCE**

The contract compliance number for Dynotec is CC005053 and expires 4/18/2024.

**3. FISCAL IMPACT**

Funds in the amount of \$20,000.00 are available for this project within the Morse Road TIF Fund, Fund 7414. It is necessary to transfer cash between projects within Fund 7414 to align cash with the proper project. Funds will also need to be appropriated within Fund 7414.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS**

**ENTERPRISE PROGRAM**

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

To authorize the transfer of cash and the appropriation of funds within the Morse Road TIF Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Dynotec, Inc. for design of the Roadway Improvements - Sinclair Road Sidewalk project; to authorize the expenditure of up to \$20,000.00 to pay for this contract modification. (\$20,000.00)

**WHEREAS**, contract no. PO130618 with Dynotec, Inc. in the amount of \$146,766.12 was authorized by Ordinance 1835-2018; and

**WHEREAS**, modification no. 1, PO226397, in the amount of \$320,000.00, was authorized by Ordinance 0978-2020; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$20,000.00 and provide additional funds for the Roadway Improvements - Sinclair Road Sidewalks project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Roadway Improvements - Sinclair Road Sidewalks project for design services; and

**WHEREAS**, it is necessary for Council to authorize a transfer of cash within Fund 7414, the Morse Road TIF Fund, to establish sufficient cash to pay for the contract modification; and

**WHEREAS**, it is necessary to appropriate and expend funds within Fund 7414, the Morse Road TIF Fund, to pay for the contract modification; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; **NOW, THEREFORE**,

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

**SECTION 1.** That the transfer of \$20,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7414 (Morse Road TIF), from Dept-Div 4402 (Economic Development), Project P414001-100000 (Morse Road TIF), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100153 (Roadway Improvements - Sinclair Road Sidewalks), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$20,000.00 is appropriated in Fund 7414 (Morse Road TIF Fund), Dept-Div 5912 (Design and Construction), Project P530161-100153 (Roadway Improvements - Sinclair Road Sidewalks), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Service be, and hereby is, authorized to enter into a contract modification with Dynotec, Inc., 2931 East Dublin-Granville Road, Suite 200, Columbus, Ohio, 43231, for the Roadway Improvements - Sinclair Road Sidewalks project in the amount of \$20,000.00, or so much thereof as may be needed.

**SECTION 4.** That the expenditure of \$20,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7414, (Morse Road TIF Fund), Dept-Div 5912 (Design and Construction), Project P530161-100153 (Roadway Improvements - Sinclair Road Sidewalks), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3179-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to execute a grant agreement with Human Service Chamber Foundation for a 12 month period from January 1, 2024, to



December 31, 2024, in an amount up to \$300,000.00, using general funds from the Elevate 2.0! Program.

The mission of the Human Service Chamber Foundation (HSCF) is: “to unleash the power of human potential through every act of human service.” To that end HSCF is providing the nonprofit sector with a Shared Services approach that is creating unprecedented efficiencies and cost-savings while improving the business operations of the health and human services sector. HSCF will continue to expand and improve upon its work in 2023 with a robust roster consisting of professional services providers and various resources. By hosting, administering, and facilitating these services, HSCF can create equitable access to human resources, PR and communications, legal services, sustainability efforts, accounting services, development, and much more for nonprofits of all sizes and service areas across our city. The cost-savings and capacity-saving will allow agencies to have greater resources and capacity to invest in addressing the most pressing needs of the people of our community now and well into the future.

The Human Service Chamber of Franklin County will offer the following through a Shared Services approach: Human Resources, Communications/Marketing, Sustainability and Global Warming Preparedness for the nonprofit sector in Columbus; additional services may be added.

**FISCAL IMPACT:** Funding for this has been allocated within the Elevate 2.0 General Fund budget (Fund 1000), in an amount up to \$300,000.00. (\$300,000.00)

**CONTRACT COMPLIANCE:** the vendor number is 028003 and the expiration date is 9/7/2024.

To authorize the Director of the Department of Development to execute a grant agreement with Human Service Chamber Foundation in an amount up to \$300,000.00; to authorize the provision of services for a 12-month period from January 1, 2024, to December 31, 2024; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; and to authorize the transfer and expenditure of up to \$300,000.00 from the General Fund. (\$300,000.00)

**WHEREAS,** the Director of the Department of Development seeks to enter into a grant agreement with Human Service Chamber Foundation in an amount up to \$300,000.00 for a 12 month period starting January 1, 2024; and

**WHEREAS,** the transfer of funds between object classes is needed as well as the authorization for the expenditure; and

**WHEREAS,** this grant will fund the expansion of shared services provided by HSCFF to the nonprofit community; and

**WHEREAS,** the advancement of funds on a pre-determined schedule during the term of the contract may be needed and will only be done so as long as it is written within the contract and proper payment requests and disbursement journals are submitted to the City; and

**WHEREAS,** the grant agreement will be funded with General Funds; NOW THEREFORE,

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

**SECTION 1.** That the transfer of \$300,000.00, or so much thereof as may be needed, is hereby authorized within Fund 1000 (General Fund), from Dept-Div 44-01 (Administration), object class 03 (Services) to Dept-Div 44-01 (Administration), object class 05 (Other) per the account codes in the attachment to this ordinance. (\$300,000.00)

**SECTION 2.** That for the purpose as stated in Section 3, the expenditure of \$300,000.00, or so much thereof as may be needed, is hereby authorized within Fund 1000 (General Fund), from Dept-Div 44-01 (Administration), object class 05 (Other) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Development is authorized, pursuant to CCC Sec. 111.14, to execute grant agreements with Human Service Chamber Foundation in an amount up to \$300,000.00 to provide for services for a 12 month period from January 1, 2024, to December 31, 2024 in accordance with the terms of the social innovation initiatives of Elevate!

**SECTION 4.** That the advancement of funds on a pre-determined schedule is hereby authorized during the term of the grant agreement.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3181-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Service to modify a professional services contract with 2LMN, Inc., to add additional funds for design of the Intersection Improvements - Dublin-Granville Road at Ulry Road project.

Ordinance 1528-2017 authorized the Director of Public Service to enter into a professional services contract with 2LMN, Inc., for the Intersection Improvements - Dublin-Granville Road at Ulry Road project. The intent of this project is to widen Dublin-Granville Road for turn lanes (an eastbound left turn lane and potentially a westbound right turn lane) at the intersection with Ulry Road. Ordinance 2825-2018 authorized the Director of Public Service to modify the contract in the amount of \$400,000.00. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$10,000.00.

**1.1 Amount of additional funds to be expended: \$10,000.00**

The original contract amount:	\$ 70,861.58	(PO078950, Ord. 1528-2017)
The total of Modification No. 1:	\$400,000.00	(PO147064, Ord. 2825-2018)
The total of Modification No. 2:	<u>\$ 10,000.00</u>	<u>(This Ordinance)</u>
The contract amount including all modifications:	\$480,861.58	

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

This modification is necessary to allow additional resources for bidding and construction services. Additionally, it will allow for the setting of ROW pins. The original contract included these tasks but the funds were reallocated to cover unforeseen design tasks.

**1.3 Reason other procurement processes are not used:**

The original consultant is necessary in order to answer questions regarding design that may come up during construction. It was decided that it is in the best interest of the City to modify the existing contract instead of bidding this part of the work.

**1.4 How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against 2LMN, Inc.

**2. CONTRACT COMPLIANCE**

The contract compliance number for 2LMN, Inc., is CC015414 and expires 10/10/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$10,000.00 is available and appropriated within Fund 7704, the Streets and Highway Bonds Fund. It is necessary to amend the 2023 Capital Improvement Budget and to transfer cash to align budget authority with the proper project.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

To amend the 2023 Capital Improvement Budget; to transfer funds within the Streets and Highway Bonds Fund; to authorize the Director of Public Service to enter into a contract modification with 2LMN, Inc., in connection with the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and to authorize the expenditure of up to \$10,000.00 from the Streets and Highway Bonds Fund for the project. (\$10,000.00)

**WHEREAS**, contract no. PO078950 with 2LMN, Inc., in the amount of \$70,861.58, was authorized by ordinance no. 1528-2017 for the design of the Intersection Improvements - Dublin-Granville Road at Ulry Road project; and

**WHEREAS**, modification no. 1, PO147064, in the amount of \$400,000.00, was authorized by ordinance no.

2825-2018; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$10,000.00 to provide additional funds for the project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash to provide sufficient budget authority for the contract modification; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; **now, therefore**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project as follows:

**Fund / Project / Project Name / Current / Change / Amended**

7704 / P538004-100000 / Intersection - SR 161 at Maple Canyon Avenue (Voted Carryover) / \$20,000.00 / (\$10,000.00) / \$10,000.00

7704 / P530086-100038 / Intersection Improvements - Dublin-Granville Road at Ulry Road (Voted Carryover) / \$0.00 / \$10,000.00 / \$10,000.00

**SECTION 2.** That the transfer of \$10,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P538004-100000 (Intersection - SR 161 at Maple Canyon Avenue), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Road at Ulry Road), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with 2LMN, Inc., 1105 Schrock Road, Suite 516, Columbus, Ohio, 43229, for the Intersection Improvements - Dublin-Granville Road at Ulry Road project in the amount of \$10,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 4.** That the expenditure of \$10,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530086-100038 (Intersection Improvements - Dublin-Granville Road at Ulry Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3186-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:** This ordinance authorizes the City Auditor to set up a certificate in the amount of \$1,868,395.00 for the purchase of equipment for the Recreation and Parks Department. These purchases will be made through the City of Columbus Purchasing Office. All bids will be obtained and contracts awarded in compliance with the relevant provisions of the Columbus City Codes, Chapter 329. This ordinance will set up all of the funding required to enter into contracts with the vendors on an as-needed basis. Competitive bids will be solicited and opened by the Purchasing Office, obtained through any current universal term contract, or state term contract as authorized by ordinance number 582-87. The new equipment will replace aging equipment used by the Building Maintenance, Golf, Parks, and Sports Sections of the Recreation and Parks Department.

The list below outlines the equipment expected to be purchased as soon as possible as a result of this ordinance:

**Parks:**

Large Area Mowers (3 each) - Estimated expenditure \$414,000  
Large Area Zero Turn Mowers (3 each) - Estimated expenditure \$210,000  
Landscape Trailers (3 each) - Estimated expenditure \$24,000  
Zero-Turn Riding Mowers (11 each) - Estimated expenditure \$172,000.00  
Chipper Truck (1 each) - Estimated expenditure \$80,000  
Parks Estimated Total: \$900,000.00

**Building Maintenance:**

Vacuum Wood Kiln (1 each) - Estimated Expenditure \$90,000  
Swing Blade Sawmill (1 each) - Estimated Expenditure \$22,000  
Dedicated Slabber Sawmill (1 each) - Estimated Expenditure \$15,000  
Trailer Band Sawmill (1 each) - Estimated Expenditure \$20,000  
Drum Sander and Planer (1 each) - Estimated Expenditure \$43,200  
Table Saw (1 each) - Estimated Expenditure \$11,000  
Scissor Lift (1 each) - Estimated Expenditure \$20,000  
Line Sprayer (1 each) - Estimated Expenditure \$8,000  
Concrete Grinder (1 each) - Estimated Expenditure \$31,000  
Air Compressor (1 each) - Estimated Expenditure \$30,000  
Building Maintenance Estimated Total: \$290,200.00

**Golf:**

Sprayer (1each) - Estimated expenditure \$48,287.98

Zero Turn Area Mower (2 each) - Estimated expenditure \$133,588  
Triplex Rotary Mower (1 each) - Estimated expenditure \$56,920  
Greens Mower (1 each) - Estimated expenditure \$44,413.53  
Utility Task Vehicle (2 each) - Estimated expenditure \$66,406.16  
Compact Seed (1 each) - Estimated expenditure \$17,814  
Triflex Mower (1 each) - Estimated expenditure \$49,764.90  
Reel Grinder (1 each) - Estimated expenditure \$51,000  
Golf Estimated Total: \$468,195.00

**Sports:**

Ford SUV (1 each) - Estimated expenditure \$40,000.00  
Ford Pickup Truck (1 each) - Estimated expenditure \$60,000.00  
Utility Task Vehicle with Line Marking Kit (1 each) - Estimated expenditure \$75,000.00  
Pull Behind Mower (1 each) - Estimated expenditure \$35,000.00  
Sports Estimated Total: \$210,000.00

**Benefits to the Public:** Facilities, parkland, sports fields, and golf courses maintained by the city enhance the quality of life of our citizens. The equipment will allow for the continued maintenance and upkeep of these amenities.

**Community Input Issues:** The community has expressed a desire for accessible and well-maintained parkland, facilities, golf courses, and sports fields.

**Area(s) Affected:** Citywide (99)

**Master Plan Relation:** This certificate and resulting purchases support the Department's Master Plan by helping to ensure that facilities, golf courses, sports fields, and parks remain accessible, safe, updated, user friendly, and well maintained.

**Fiscal Impact:** \$1,868,395.00 is budgeted and available from within the Voted Recreation and Parks Bond Fund 7702 and Permanent Improvement Fund 7747 to meet the financial obligations of these various expenditures.

To authorize and direct the City Auditor to set up a certificate in the amount of \$1,868,395.00 for the purchase of equipment for the Recreation and Parks Department; to authorize and direct the Director of the Department of Finance and Management to enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; to authorize the appropriation of \$40,000.00 within the Recreation and Parks Permanent Improvement Fund; to authorize the transfer of \$1,868,395.00 within the Recreation and Parks Voted Bond Fund and Permanent Improvement Fund; to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$1,868,395.00 from the Recreation and Parks Voted Bond Fund and Permanent Improvement Fund. (\$1,868,395.00)

**WHEREAS,** it is necessary that the City Auditor set up a certificate in the amount of \$1,868,395.00 for the purchase of equipment for the Recreation and Parks Department; and

**WHEREAS,** it is necessary that the Director of the Department of Finance and Management enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; and

**WHEREAS**, funding is budgeted and available from within the Voted Recreation and Parks Bond Fund 7702 and Permanent Improvement Fund 7747 to meet the financial obligations of these various expenditures; and

**WHEREAS**, the Purchasing Office will solicit competitive bids to acquire various equipment for the Recreation and Parks Department in accordance with the relevant provisions of the Columbus City Code, Chapter 329 or use State Term Contracts authorized per Ordinance No. 582-87; and

**WHEREAS**, brass tags for equipment to be replaced will be submitted to the Division of Fleet Management, and all specifications for equipment to be purchased and brass tagged will be approved by the Division of Fleet Management prior to acquisition; and

**WHEREAS**, it is necessary to authorize the appropriation of \$40,000.00 within the Recreation and Parks Permanent Improvement Fund 7747; and

**WHEREAS**, it is necessary to authorize the transfer of \$1,868,395.00 within the Recreation and Parks Voted Bond Fund 7702 and Permanent Improvement Fund 7747; and

**WHEREAS**, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS**, it is necessary to authorize the expenditure of \$1,868,395.00 from the Recreation and Parks Voted Bond Funds 7702 and Permanent Improvement Fund 7747; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the purchase of this equipment; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Auditor is hereby authorized to set up a certificate in the amount of \$1,868,395.00 for the purchase of equipment and vehicles for the Recreation and Parks Department.

**SECTION 2.** That the Director of Finance and Management is hereby authorized to enter into contracts for the purchase of equipment, on behalf of the Recreation and Parks Department, in accordance with the relevant provisions of the Columbus City Code Chapter 329 or using State Term Contracts authorized per ordinance number 582-87.

**SECTION 3.** That the brass tags for equipment to be replaced will be submitted to the Division of Fleet Management, and all specifications for equipment to be purchased and brass tagged will be approved by the Division of Fleet Management prior to acquisition.

**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 administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 7.** That the appropriation of \$40,000.00 is authorized within the Recreation and Parks Permanent Improvement Fund 7747 per the accounting codes in the attachment to this ordinance.

**SECTION 8.** That the transfer of \$1,868,395.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 and Permanent Improvement Fund 7747 per the account codes in the attachment to this ordinance.

**SECTION 9.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7747; P747999-100000; Unallocated Balance (Carryover) / \$343,075 / \$343,075 / \$97,799 / \$440,874 / \$440,874 (to match cash)

Fund 7702 / P511000-100000 / Renovation - Misc. (Voted Carryover) / \$3,959,070 / \$3,509,070 / (\$1,267,325) / \$2,691,745 / \$2,241,745

Fund 7702 / P514004-100000 / Program Projects (Small) - Rental Services Misc. (Voted Carryover) / \$50,000 / \$50,000 / (\$50,000) / \$0 / \$0

Fund 7702 / P515000-100000 / Program Projects (Large) - Misc. (Voted Carryover) / \$551,071 / \$551,071 / (\$511,070) / \$40,001 / \$40,001

Fund 7747 / P747999-100000; Unallocated Balance Fund 7747 (Carryover) / \$440,874 / \$440,874 / (\$40,000) / \$400,874 / \$400,874

Fund 7702 / P511011-100000 / Maintenance Equipment - Parks (Voted Carryover) / \$771,000 / \$0 / \$900,000 / \$1,671,000 / \$900,000

Fund 7702 / P511054-100000 / Building Maintenance Equipment (Voted Carryover) / \$59,000 / \$0 / \$290,200 / \$349,200 / \$290,200

Fund 7702 / P514005-100000 / Golf Equipment (Voted Carryover) / \$308,000 / \$0 / \$468,195 / \$776,195 / \$468,195

Fund 7702 / P514006-100000 / Sports Equipment (Voted Carryover) / \$222,893 / \$0 / \$170,000 / \$392,893 / \$170,000

Fund 7747 / P514006-100000 / Sports Equipment (Carryover) / \$0 / \$0 / \$40,000 / \$40,000 / \$40,000

**SECTION 10.** That the expenditure of \$1,868,395.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation and Parks Bond Fund 7702 and Permanent Improvement Fund 7747 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 11.** That this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions



relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of Finance and Management and the Director of Recreation and Parks. All contracts will be awarded in compliance with the relevant provisions of Chapter 329 of the Columbus City Codes.

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

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**Legislation Number:** 3188-2023

**Drafting Date:** 11/7/2023

**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 Trane U.S. Inc. for the King Arts Complex Chiller Replacement Project. The contract amount is \$150,500.00 with a contingency of \$10,000, for a total of \$160,500.00 being authorized by this ordinance.

The King Arts Complex is a unique culture and arts institution which is comprised of the Barbara Nichols Theater, a second floor educational wing, and the historically significant Pythian Theater which was rehabilitated in 1987. The complex was expanded in 1989 to include the old Garfield Elementary School. Located in the King Lincoln District, the King Arts Complex is listed on the National Register of Historic Places. Maintenance and improvements to this facility help prolong the life of the center for future generations to utilize and enjoy.

The chiller for this facility is at the end of life and requires replacement. Due to a long lead time for the specialized equipment, construction is expected to start in early fall 2024. Project completion is anticipated in late fall of 2024, prior to the scheduled programming of the Center. There have been numerous HVAC upgrades, starting in 2018, and the replacement of the chiller will mean all major HVAC equipment has been replaced at the King Arts Complex facility.

**Vendor Bid/Proposal Submissions (Office of Diversity and Inclusion designation status):**

Bids were advertised through Vendor Services, in accordance with City Code Section 329, on September 22, 2023 and received by the Recreation and Parks Department on October 17, 2023. Bids were received from the following companies:

- Trane U.S. (MAJ): \$150,500.00
- Capital City Mechanical (MAJ): \$212,300.00
- General Temperature Control (MAJ): \$224,460.00
- Plug Smart (MAJ): non-responsive

After reviewing the bids that were submitted, it was determined that Trane U.S. Inc. was the lowest and most responsive bidder. Trane U.S. Inc. and all proposed subcontractors have met code requirements with respect to prequalification, pursuant to relevant sections of Columbus City Code Chapter 329.

**Principal Parties:**

Trane U.S. Inc.  
2300 Citygate Drive  
Columbus, Ohio 43219

Sydney Whitehead, (614) 256-3210  
Contract Compliance Number: 001915  
Contract Compliance Expiration Date: May 10, 2025

**Benefits to the Public:** To upgrade the HVAC system to supply a comfortable atmosphere for all citizens that visit the Martin Luther King Arts Complex.

**Area(s) Affected:** North Central (49)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by prioritizing facility improvements, re-using and repairing existing buildings promotes sustainability.

**Fiscal Impact:** \$160,500.00 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract.

To authorize the Director of the Recreation and Parks Department to enter into contract with Trane U.S. Inc. for the King Arts Complex Chiller Replacement Project; and to authorize the expenditure of \$160,500.00 from the Recreation and Parks Voted Bond Fund. (\$160,500.00)

**WHEREAS,** it is necessary to authorize the Director of the Recreation and Parks to enter into contract with Trane U.S., Inc. for the King Arts Complex Chiller Replacement Project; and

**WHEREAS,** it is necessary to authorize the expenditure of \$160,500.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the Director to enter into contract with Trane U.S. Inc. for the King Arts Complex Chiller Replacement Project, **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Recreation and Parks Department be and is hereby authorized to enter into contract with Trane U.S. Inc. for the King Arts Complex Chiller Replacement Project.

**SECTION 2.** 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 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 4.** That the 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 5.** That, for the purpose stated in Section 1, the expenditure of \$160,500.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks and Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this

ordinance.

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

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**Legislation Number:** 3190-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:** This ordinance authorizes the City Auditor to set up an auditor’s certificate in the amount of \$250,000.00 for various expenditures for labor, materials, and equipment in conjunction with facility improvements managed by the Recreation and Parks Department. These are unanticipated expenditures that may include, but are not limited to, items such as plumbing, HVAC, lighting improvements, surveys, design, hard surfaces, equipment, fencing, and various emergency repairs. Contracts will be entered into in compliance with the procurement provisions of the Columbus City Codes Chapter 329. Expenditures will be in compliance with the City of Columbus Capital Eligibility Requirements.

**Benefits to the Public:** Having this funding in place for unanticipated needs as they arise will benefit the community by helping to ensure facilities are safe, accessible, and user friendly. This funding will also keep the impact on facility visitors to a minimum when unforeseen issues arise.

**Community Input Issues:** Many issues that this funding helps to address come straight from the community, through 311 and direct contact with the department. The community has expressed the desire for well-kept facilities and amenities through public workshops, social media, and direct contact with City staff.

**Area(s) Affected:** Citywide (99) - The entire City of Columbus is affected by having the funding in place to act efficiently on issues that arise in our facilities.

**Master Plan Relation:** This certificate and resulting projects will support the Recreation and Parks Master Plan by helping to ensure that facilities remain safe and user friendly.

**Fiscal Impact:** \$250,000.00 is budgeted and available from and within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of these various expenditures.

To authorize and direct the City Auditor to establish an auditor’s certificate in the amount of \$250,000.00 for various expenditures for labor, materials, and equipment in conjunction with facility improvements within the Recreation and Parks Department; and to authorize the expenditure of \$250,000.00 from the Recreation and Parks Voted Bond Fund. (\$250,000.00)

**WHEREAS,** it is necessary that the City Auditor establish an auditor’s certificate in the amount of \$250,000.00 for various expenditures in conjunction with facility improvements within the Recreation and Parks Department; and

**WHEREAS,** funding is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to

meet the financial obligations of these various expenditures; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the expenditure of \$250,000.00 from the Recreation and Parks Voted Bond Fund; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Auditor is authorized and directed to establish an auditor’s certificate in the amount of \$250,000.00 for various expenditures for labor, materials, and equipment in conjunction with facility improvements within the Recreation and Parks Department.

**SECTION 2.** 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 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 4.** That the 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 5.** That the expenditure of \$250,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of the Recreation and Parks Department. All contracts will be entered into in compliance with the relevant procurement provisions of the Columbus City Codes Chapter 329.

**SECTION 7.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3191-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:** This ordinance authorizes the City Auditor to set up a certificate in the amount of \$100,000.00 for various expenditures for labor, materials, and equipment in conjunction with existing golf course and golf facility improvements managed by the Recreation and Parks Department. These are unanticipated expenditures that may include, but are not limited to, items such as surveys, design, landscape improvements, hard surfaces, equipment, emergency repairs, and golf course specific improvements. Contracts will be entered into in compliance with the procurement provisions of Columbus City Code Chapter 329. Expenditures will be in

compliance with the City of Columbus Capital Eligibility Requirements.

**Benefits to the Public:**

Having this funding in place for unanticipated needs as they arise will benefit the community by helping to ensure that golf courses and related facilities remain safe, accessible, updated, and user friendly. This funding will also keep the impact on golf customers to a minimum when unforeseen issues arise.

**Community Input Issues:**

Many issues that this funding helps to address come straight from the community, through 311 and direct contact with the department. The golf community has expressed the desire for well-kept and updated golf courses and facilities. Golf customers expect the courses and facilities to be in good condition.

**Area(s) Affected:**

Citywide (99), The entire City of Columbus is affected by having the funding in place to act efficiently on issues that arise on our golf courses and facilities.

**Master Plan Relation:**

This project will support the Recreation and Parks Master Plan by helping to ensure that golf courses and facilities remain accessible, safe, updated, user friendly, and well maintained.

**Fiscal Impact:** \$100,000.00 is budgeted and available from within the Voted Recreation and Parks Bond Fund 7712 to meet the financial obligations of these various expenditures.

To authorize and direct the City Auditor to set up a certificate in the amount of \$100,000.00 for various expenditures for labor, material, and equipment in conjunction with the Recreation and Parks Department's golf course and facility improvements; to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$100,000.00 from the Recreation and Parks Voted Bond Fund. (\$100,000.00)

**WHEREAS**, it is necessary that the City Auditor set up a certificate in the amount of \$100,000.00 for labor, material and equipment in conjunction with golf course and facility improvements within the Recreation and Parks Department; and

**WHEREAS**, funding is budgeted and available from within the Voted Recreation and Parks Bond Fund 7712 to meet the financial obligations of these various expenditures; and

**WHEREAS**, it is necessary to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund 7712; and

**WHEREAS**, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the expenditure of \$100,000.00 for various unanticipated expenditures in conjunction with golf course and facility improvements so that needed improvements and safety issues that arise can be addressed in a timely manner; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Auditor is authorized to set up a certificate in the amount of \$100,000.00 for various expenditures regarding labor, materials and equipment in conjunction with golf course and facility improvements within the Recreation and Parks Department.

**SECTION 2.** 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 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 4.** That the 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 5.** That the transfer of \$100,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7712 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7712 / P512004-100000 / Community Sports Park (Voted Carryover) / \$33,305 / \$33,305 / (33,305) / \$0 / \$0

Fund 7712 / P514003-100000 / Program Projects (Small) - Sports Misc. (Voted Carryover) / \$66,695 / \$66,695 / (\$66,695) / \$0 / \$0

Fund 7712 / P514002-100000 / Program Projects (Small) - Golf Misc. (Voted Carryover) / \$50,000 / \$0 / \$100,000 / \$150,000 / \$100,000

**SECTION 7.** That the expenditure of \$100,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7712 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 8.** That this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of Recreation and Parks. All contracts will be entered into in compliance with the relevant procurement provisions of the Columbus City Codes Chapter 329.

**SECTION 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3192-2023

**Drafting Date:** 11/7/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:** This ordinance authorizes the City Auditor to set up an auditor’s certificate in the amount of \$100,000.00 for various expenditures for labor, materials, and equipment in conjunction with new development projects managed by the Recreation and Parks Department. These are unanticipated and time-sensitive expenditures that may include, but are not limited to, engineering, surveys, design, appraisals, and other various expenditures related to the development of new parks, facilities, and amenities that are new to the system and/or have not existed previously. Contracts will be entered into in compliance with the procurement provisions of the Columbus City Codes Chapter 329. Expenditures will be in compliance with the City of Columbus Capital Eligibility Requirements.

**Benefits to the Public:** Having this funding in place for unanticipated, high priority, and time-sensitive new development projects will benefit the community by advancing the strategic goals of the department while improving access to recreational opportunities for all.

**Community Input Issues:** Many requests that this funding helps to address come straight from the community, through 311, and direct contact with the department. The community communicates their requests for improvements through public workshops, social media, and direct contact with City staff. New development projects are based on strategic priorities based on public and community group input.

**Area(s) Affected:** Citywide (99) - The entire City of Columbus is affected by having the funding in place to act on opportunities that arise.

**Master Plan Relation:** This certificate and resulting projects will support the Recreation and Parks Master Plan by expanding access to a variety of recreational opportunities for all residents.

**Fiscal Impact:** \$100,000.00 is budgeted and available from and within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of these various expenditures.

To authorize and direct the City Auditor to establish an auditor’s certificate in the amount of \$100,000.00 for various expenditures for labor, materials, and equipment in conjunction with new development projects managed by the Recreation and Parks Department; to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$100,000.00 from the Recreation and Parks Voted Bond Fund. (\$100,000.00)

**WHEREAS,** it is necessary that the City Auditor establish an auditor’s certificate in the amount of \$100,000.00 for various expenditures in conjunction with new development projects managed by the Recreation and Parks Department; and

**WHEREAS,** funding is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to

meet the financial obligations of these various expenditures; and

**WHEREAS**, it is necessary to authorize the transfer of \$100,000.00 within the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the expenditure of \$100,000.00 from the Recreation and Parks Voted Bond Fund, all for the preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Auditor is authorized and directed to establish an auditor’s certificate in the amount of \$100,000.00 for various expenditures for labor, materials, and equipment in conjunction with high priority new development repair and replacement projects managed by the Recreation and Parks Department.

**SECTION 2.** 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 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 4.** That the 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 5.** That the transfer of \$100,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7702 / P517000-100000 / Opportunity Projects - Misc. (Voted Carryover) / \$698,727 / \$698,727 / (\$100,000) / \$598,727 / \$598,727

Fund 7702 / P512000-100000 / New Development - Misc. (Voted Carryover) / \$0 / \$0 / \$100,000 / \$100,000 / \$100,000

**SECTION 7.** That the expenditure of \$100,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 8.** That this Council hereby recognizes that this ordinance does not identify specific contractors or



vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of the Recreation and Parks Department. All contracts will be entered into in compliance with the relevant procurement provisions of Chapter 329 of the Columbus City Codes.

**SECTION 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3193-2023

**Drafting Date:** 11/7/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

**Background:** In April of 2021, the Columbus Recreation and Parks Commission voted in support of and Columbus City Council passed a resolution to support the Columbus Urban Forestry Master Plan (UFMP) and its immediate implementation. By authorizing the implementation of the Urban Forestry Master Plan, the Forestry Section of the Recreation and Parks Department can implement key recommendations through hiring staff, purchasing equipment, procuring tree service contracts, inventorying the City’s street trees, and engaging urban forestry consultants.

This ordinance is requesting the authorization the expenditure of \$2,000,000.00 in voted bond funds and the authorization for the Director of the Recreation and Parks Department to enter into various contracts relating to the Urban Forestry Master Plan. This ordinance will establish auditor's certificates and authorize expenditures in conjunction with the management of the UFMP. Contracts will be entered in compliance with the relevant provisions of Columbus City Code Chapter 329, however this legislation will set up all of the funding required to enter into contracts with vendors on an as-needed basis. All purchases will be through competitive bidding, through any current universal term contract, or through any current State of Ohio purchasing contract pre-approved by the City of Columbus Purchasing Office, per Ordinance No. 0582-87.

Part of this authorization is for the purchase of equipment and vehicles for the Recreation and Parks Department. These purchases will be made through the City of Columbus Purchasing Office. The equipment will replace aging equipment used by the Forestry Section for the implementation of the UFMP. The list below outlines the equipment and vehicles expected to be purchased as soon as possible as a result of this ordinance:

- Bucket Truck (2 each) - Estimated expenditure \$700,000
- Tractor (1 each) - Estimated expenditure \$40,000
- Tiller (1 each) - Estimated expenditure \$5,000
- Stump Grinder (1 each) - Estimated expenditure \$75,000
- Basket Lift (1 each) - Estimated expenditure \$158,000
- Tilt Trailer (1 each) - Estimated expenditure \$12,000
- Estimated Total: \$990,000.00

The staffing, supplies, services, and equipment needs that will be paid for as part of this funding request may include, but are not limited to, tree installation, hazardous tree removal, stump grinding, tree site preparation, urban forestry professional services, cellular service, office supplies, forestry supplies, uniforms, and safety

equipment. All supply, service, and equipment needs related to the UFMP have been established as one overall capital improvement project. Each purchase order will be written separately based on all City of Columbus Codes that apply.

The Columbus Urban Forestry Master Plan is the first citywide strategic plan to invest long-term in Columbus' trees. Over the next decades, the UFMP will guide the entire Columbus Community to prioritize, preserve, and grow our tree canopy. Tree canopy refers to the part of a city that is shaded by trees. Canopy cover is the percentage of the city that is covered by trees when viewed from above, as opposed to other land cover like water, open green space, hard surfaces and bare soil. In Columbus, approximately 22% of the city is currently covered by trees.

Columbus faces many challenges today, and over the coming decades. Trees are part of the solution. Trees help reduce urban stressors by cleaning our air, providing shade, intercepting stormwater, and more. The benefits that urban trees provide is valued up to five times what it costs to maintain them. In Columbus, our trees provide approximately 38 million dollars in benefits each year. However, our tree canopy is vulnerable to threats from disease, pests, the changing climate, and increased development. Also, the City is expecting to grow by 1 million residents in the coming decades. To improve and sustain our residents' quality of life, we needed a strategic plan to invest in our trees.

We engaged residents across Columbus through five avenues, including an online survey, an open house, small-group presentations, interviews, and multiple meetings of two stakeholder groups. These two stakeholder groups were comprised of over 100 community leaders and City of Columbus Staff. The themes that emerged were used to develop the vision, goals, and actions of the Urban Forestry Master Plan. The vision of the Urban Forestry Master Plan is to prioritize, preserve, and grow the tree canopy in Columbus, equitably across neighborhoods, to improve the health and quality of life for all residents.

The Urban Forestry Master Plan has three goals. One is a long-term goal and the other two are short-term goals. All are critical to achieving our vision for Columbus' urban forest. These goals are as follows:

- Goal 1: Reach Citywide Tree Canopy Cover of 40% by 2050.
- Goal 2: Stop the Net Tree Canopy Losses by 2030.
- Goal 3: Invest in Equitable Tree Canopy Across All Neighborhoods by 2030.

To reach our goals, we will follow four strategies, including community coordination and collaboration; best practices, dedication of resources, and stronger policies.

**Benefits to the Public:** Trees provide tangible benefits to Columbus residents. As the 15th largest city in the nation, Columbus is home to over 900,000 people. Columbus had the 8th most intense urban heat island effect of major US cities, impacting health, energy use, and water quality. The recently published Columbus Climate Action Plan recommends planting trees as a solution. Street trees are the workhorses as they clean our air, reduce heat, and absorb stormwater. In an Ohio summer, trees provide the shade that makes walking outside bearable. Trees should be equitably distributed across the City so all residents benefit.

**Community Input/Issues:** Hundreds of stakeholders helped create the Urban Forestry Master Plan. Industry experts, universities, nonprofits, developers, community leaders, city staff, regional partners, landscape architects, and many others served on two stakeholder groups consisting of a Project Team of about 30 members and an Advisory Group of about 100 members. All members are listed in the Acknowledgments

section of the UFMP and on the UFMP website The UFMP website is located at [www.columbusufmp.org](http://www.columbusufmp.org). These groups met periodically throughout the course of the plan's creation to provide input. The public was also engaged through an online survey, an open house, small-group presentations, and interviews.

**Area(s) Affected:** Citywide (99)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by conserving, protecting, and enhancing the city's natural resources and overall environmental health. The UFMP will benefit current and future generations.

**Fiscal Impact:** \$2,000,000.00 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of these various expenditures.

To authorize the Director of the Recreation and Parks Department to enter into various contracts for management of the Urban Forestry Master Plan; to authorize and direct the City Auditor to establish auditor's certificates in the amount of \$2,000,000.00 for various expenditures in conjunction with the management of the Urban Forestry Master Plan; to authorize and direct the Director of Finance and Management to enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; to authorize the transfer of \$1,950,796.46 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget and to authorize the expenditure of \$2,000,000.00 from the Recreation and Parks Voted Bond Fund. (\$2,000,000.00)

**WHEREAS**, it is necessary that the City Auditor establish auditor's certificates in the amount of \$2,000,000.00 for various expenditures in conjunction with the management of the Urban Forestry Master Plan; and

**WHEREAS**, it is necessary that the Director of Finance and Management enter into various contracts for the purchase of equipment on behalf of the Recreation and Parks Department; and

**WHEREAS**, the Purchasing Office will solicit competitive bids to acquire various equipment for the Recreation and Parks Department in accordance with the relevant provisions of the Columbus City Code, Chapter 329 or use State Term Contracts authorized per Ordinance No. 582-87; and

**WHEREAS**, brass tags for equipment to be replaced will be submitted to the Division of Fleet Management, and all specifications for equipment to be purchased and brass tagged will be approved by the Division of Fleet Management prior to acquisition; and

**WHEREAS**, it is necessary to authorize the transfer of \$1,950,796.46 within the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS**, it is necessary to authorize the expenditure of \$2,000,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the Director to enter into various contracts for the management of the Urban

Forestry Master Plan; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Recreation and Parks Department be and is hereby authorized to enter into various contracts for the purchase of services, equipment, supplies, and trees as necessary in conjunction with the management of the Urban Forestry Master Plan as described by this ordinance. This ordinance will also authorize the reimbursement of staff time related to the implementation of the Urban Forestry Master Plan in accordance with the City Auditor's internal labor capitalization policy.

**SECTION 2.** That the City Auditor is hereby authorized and directed to establish auditor's certificates in the amount of \$2,000,000.00 for various expenditures in conjunction with the management of the Urban Forestry Master Plan.

**SECTION 3.** That the Director of Finance and Management is hereby authorized to enter into contracts for the purchase of equipment and vehicles, on behalf of the Recreation and Parks Department, in accordance with the relevant provisions of the Columbus City Code Chapter 329 or using State Term Contracts authorized per ordinance number 582-87.

**SECTION 4.** That the brass tags for equipment to be replaced will be submitted to the Division of Fleet Management, and all specifications for equipment to be purchased and brass tagged will be approved by the Division of Fleet Management prior to acquisition.

**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 the transfer of \$1,950,796.46 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 9.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7702 / P511012-100001 / Street Trees - Urban Forestry Master Plan (Voted Carryover) / \$1,500,000 / \$0 / \$49,204 / \$1,549,204 / \$49,204 (to match cash)

Fund 7702 / P511000-100000 / Renovation - Misc. (Voted Carryover) / \$2,691,745 / \$2,241,745 / (\$146,296) / \$2,545,449 / \$2,095,449

Fund 7702 / P511035-100000 / Climate Action Plan (Voted Carryover) / \$1,804,500 / \$1,804,500 / (\$1,804,500) / \$0 / \$0

Fund 7702 / P511012-100001 / Street Trees - Urban Forestry Master Plan (Voted Carryover) / \$1,549,204 / \$49,204 / \$1,950,796 / \$3,500,000 / \$2,000,000

**SECTION 10.** That for the purpose stated in Sections 1 and 3, the expenditure of \$2,000,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

**SECTION 11.** That this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of the Recreation and Parks Department. All contracts will be entered into in compliance with the relevant provisions of the Columbus City Code, Chapter 329.

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

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**Legislation Number:** 3200-2023

**Drafting Date:** 11/8/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract with GPD Group for professional services for the 69-2 Circuit Improvements project, CIP #670608-100015, in an amount up to \$1,526,280.03.

The City of Columbus, Division of Power (DOP) 69-2 Circuit Improvements project will upgrade a 50 year old transmission circuit. This circuit is 9.7 miles long and stretches from the Southerly Substation to the Jackson Pike Substation. Some of the line has already been upgraded, but 8.3 miles of this circuit still need to be reconducted with newer, larger wire to extend the useful life of this circuit and to provide additional capacity for increased current from a planned solar field. The scope of improvements will also include condition based pole replacements, lightning arrestor replacements, and other work deemed necessary to meet national Electrical Safety Code requirements and proper transmission pole line.

DOP is currently working with a solar developer on two other projects that will be operational in 2023. The solar developer is eager to maintain the momentum and begin planning and design efforts on another solar field at the city's Compost Facility. Bringing this additional solar power source online will get the City closer to the City goals in the Climate Action Plan of increasing commercial on-site solar to 200MW and 100% clean energy procurement for DOP. The target for these commitments is 2030, thus the need for DOP to implement this project now.

The work to be performed for this contract includes project management, field survey, detailed design, preparation of construction drawings, obtaining any permits necessary for the work, engineering services during construction, and preparation of record plan drawings.

Project area: 99 City Wide

**TIMELINE:** The Notice to Proceed for the contract is anticipated to be issued in the first quarter of 2024. The initial contract funding is anticipated to fund the first two years of the contract. Two contract renewals are anticipated. Each contract renewal is anticipated to fund an additional two years of work, with the contract expected to be completed within six years.

**ESTIMATED COST OF PROJECT:** The initial contract amount is \$1,526,280.03. Future contract modifications will be necessary as the Division of Power intends to fund these services in roughly two-year increments.

Cost summary:

Original Contract (current)	\$	1,526,280.03
Contract Modification #1	\$	1,000,000.00
<u>Contract Modification #2</u>	<u>\$</u>	<u>1,000,000.00</u>
CONTRACT TOTAL	\$	3,526,280.03

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project will construct a more resilient and reliable power distribution system. This will result in fewer power interruptions to the customers on these circuits which will minimize any economic impacts due to power outages. The improvements to this circuit will allow provide a reliable path for power to be transmitted from solar fields on the south end of town to the core Division of Power service territory.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bonfire websites and opened 9/15/23. Three proposals were received:

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
GPD Group	CC006560 / 5/24/2025	Columbus, OH	MAJ
AEC	CC005665 / 3/24/2025	Columbus, OH	MBE
GAI Consultants	CC046598 / 9/12/2025	Canton, OH	MAJ

All proposals were deemed responsive. The evaluation committee reviewed the proposals and recommended the contract for the 69-2 Circuit Improvements project be awarded to GPD Group

GPD Group’s certification was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

GPD Group’s contract compliance number is CC-006560 and expires 5/24/2025. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against GPD Group

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 10% as assigned by the City’s Office of Diversity and Inclusion (ODI). After ODI’s review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 10% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the bid documents for this contract.

As part of their proposal, GPD Group has proposed the following two subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Resource International, Inc.	Columbus, OH	WBE
STONE Environmental Engineering	Columbus, OH	WBE

The certification of GPD Group and the above listed companies were in good standing at the time the bid was awarded.

**6. FISCAL IMPACT**

Funding in the amount of \$1,526,280.03 is available and appropriated within the Electricity Bond Fund, Fund 6303. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash and appropriation between projects within the Electricity Bond Fund is needed to align cash and appropriation with the proper project.

To authorize the Director of Public Utilities to enter into a professional services contract with GPD Group for the 69-2 Circuit Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation between projects within the Electricity Bond Fund; and to authorize an expenditure of up to \$1,526,280.03 from the Electricity Bond Fund to pay for the contract. (\$1,526,280.03)

**WHEREAS**, the Department of Public Utilities is engaged in the 69-2 Circuit Improvements project; and

**WHEREAS**, three proposals for the 69-2 Circuit Improvements project were received and evaluated by the evaluation committee; and

**WHEREAS**, the evaluation committee recommended GPD Group be awarded the contract for this project; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a professional services contract with GPD Group for the 69-2 Circuit Improvements project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Electricity Bond Fund, Fund 6303, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Electricity Bond Fund, Fund 6303, to pay for the contracted services for the project; **NOW, THEREFORE**,

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change**

6303 / 670907-100000 / Furnace Substation - 138kV Interconnection (Voted Electricity Carryover) / \$1,000,000.00 / \$0.00 / (\$1,000,000.00)

6303 / 670899-100000 / Circuits 128 and 80 Street Lighting Improvements (Voted Electricity Carryover) / \$712,122.00 / \$185,841.00 / (\$526,281.00)

6303 / 670608-100015 / 69-2 Circuit Improvements (Voted Electricity Carryover) / \$0.00 / \$1,526,281.00 / \$1,526,281.00

**SECTION 2.** That the transfer of \$1,526,280.03, or so much thereof as may be needed, is hereby authorized within the Electricity Bond Fund, Fund 6303, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a professional services contract for the 69-2 Circuit Improvements project with GPD Group, 1801 Watermark Dr., Columbus, OH 43215, in an amount up to \$1,526,280.03, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities.

**SECTION 4.** That the expenditure of \$1,526,280.03, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3211-2023

**Drafting Date:** 11/8/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**



This ordinance authorizes the Director of Public Service to modify a professional services contract with Woolpert, Inc. to add additional funds for design of the Roadway - North Knot-SR315.

Ordinance 1912-2022 authorized the Director of Public Service to enter into a professional services contract with Woolpert, Inc. for the Roadway - North Knot-SR315 project. The intent of this project is to provide the City of Columbus, Department of Public Service, general engineering and transportation planning services for preliminary design services for improvements to State Route 315 (SR-315) and its exit or entrance ramps and interchanges between the SR-315 bridge (south of King Avenue) over the Olentangy River and Ackerman Road. This project will be used to identify traffic capacity improvements to the freeway ramps and interchanges needed to support existing and planned development in the area. It will also be used to identify traffic capacity improvements to intersections in close proximity to the interchanges.

This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$450,000.00.

**1.1 Amount of additional funds to be expended: \$450,000.00**

The original contract amount: \$750,000.00 (PO341012, Ord. 1912-2022)

The total of Modification No. 1: \$450,000.00 (This Ordinance)

The contract amount including all modifications: \$1,200,000.00

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

This modification is necessary to finalize traffic analysis of the alternatives developed out of the initial study phase and prepare elements of a feasibility study. Additionally, the modification will provide funding to bring the study to a level of detail appropriate for applying for a Ohio Department of Transportation Major New Capacity Program federal grant.

**1.3 Reason other procurement processes are not used:**

There is not enough time to complete the funding application deadline and bid out the work. It was decided that it is in the best interest of the City to modify the existing contract instead of bidding this part of the work.

**1.4 How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Woolpert, Inc.

**2. CONTRACT COMPLIANCE**

The contract compliance number for Woolpert, Inc. is CC001040 and expires 4/17/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$450,000.00 is available and appropriate within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of funds are necessary to align funding for these project expenditures.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS**

**ENTERPRISE PROGRAM**

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of

the program.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Woolpert, Inc. in connection with the Roadway - North Knot-SR315 project; to authorize the expenditure of up to \$450,000.00 from the Streets and Highways Bond Fund for the project. (\$450,000.00)

**WHEREAS**, contract no. PO341012 with Woolpert, Inc., in the amount of \$750,000.00, was authorized by ordinance no. 1912-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$450,000.00 and provide additional funds for the Roadway - North Knot-SR315 project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash to provide funding for project expenditures; and

**WHEREAS**, it is necessary to expend funds relative to the project; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; **now, therefore**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P531024-100003 / Roadway - LinkUS - Northwest Corridor South Knot (Voted Carryover) / \$2,000,000.00 / (\$450,000.00) / \$1,550,000.00

7704 / P531060-100000 / Roadway - North Knot-SR315 (Voted Carryover) / \$0.00 / \$450,000.00 / \$450,000.00

**SECTION 2.** That the transfer of \$450,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5913 (Division of Traffic Management), Project P531024-100003 (Roadway - LinkUS - Northwest Corridor South Knot), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Division of Traffic Management), Project P531060-100000 (Roadway - North Knot-SR315), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Woolpert, Inc. at One Easton Oval, Suite 400, Columbus, OH 43219, for the Roadway - North Knot-SR315 project in the amount of \$450,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 4.** That the expenditure of \$450,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5913 (Division of Traffic Management), Project P531060-100000 (Roadway - North Knot-SR315), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3222-2023

**Drafting Date:** 11/9/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This legislation authorizes the Director of Public Utilities to renew an existing service agreement with Aquatic Informatics, Inc. (DBA Tokay Software; previously known as Tokay Software, Inc.) for services for Backflow Prevention Management Software.

On December 4, 2015, the Department of Public Utilities received one (1) proposal in response to an RFP for backflow prevention management software services. Aquatic Informatics, Inc. (DBA Tokay Software) was selected to provide this service. For each year of the ten-year contract, funds for the services shall be reviewed, and expenditures shall be approved by ordinance of City Council, and appropriation and certification of funds by the City Auditor. The first year of the agreement (2016), the contract was funded in the amount of \$43,262.50. The second through tenth years of the contract will be funded at \$45,200.00 per year. If additional funding is needed, a modification will be processed based upon mutual agreement of the parties, approval by City Council, and certification of the funds by the City Auditor.

Aquatic Informatics, Inc. (DBA Tokay Software) publishes and supports cross-connection control program management software for use in managing backflow prevention within a water distribution system. This software is necessary to allow for: management of the office database, management of the office workflow, and online submittal of up to 42,000 annual backflow prevention assembly test reports processed by the Backflow Compliance Office as part of their regulatory compliance program. The ongoing software support allows DPU's users of the software to continue to search customer records, create notification letters for the regulatory enforcement duties of the office, and to monitor customer compliance with the protection, testing, and survey requirements of City Code, DPU Rules and Regulations, and the Ohio Administrative Code.

**SUPPLIER:** Aquatic Informatics, Inc. (DBA Tokay Software) Vendor #029996 / CC#47-2917533 / MAJ / Expires 11/18/24

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.

1. Amount of additional funds: Total amount of additional funds needed for this contract renewal is \$45,200.00. Total contract amount including this renewal is \$404,862.50
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. This legislation adds additional funding for the ninth year of a ten-year contract.
3. Reason other procurement processes were not used: Work under this renewal is a continuation of services included in the scope of the original contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How was cost determined: The Department of Public Utilities and Aquatic Informatics, Inc. (DBA Tokay Software) negotiated the cost of this contract.

**FISCAL IMPACT:**

\$45,200.00 is needed and budgeted in the 2023 Water Operating Fund for this expenditure.

\$49,720.00 was spent for this purpose in 2022.

\$29,293.00 was spent for this purpose in 2021.

To authorize the Director of Public Utilities to renew an existing service agreement with Aquatic Informatics, Inc. (DBA Tokay Software) for backflow prevention management software services; and to authorize the expenditure of \$45,200.00 from the Water Operating Fund. (\$45,200.00)

**WHEREAS**, the Department of Public Utilities has a continuing need for backflow prevention management software services in order to track customer compliance with, and enforcement of, City Code 1113.01 and Department of Public Utilities Rule and Regulation 09-02; and

**WHEREAS**, the Division of Water is required by the Ohio EPA and the Ohio Administrative Code to run an effective cross-connection and backflow control program; and

**WHEREAS**, after completing the RFP process and proposal evaluation in 2015, the selection committee recommended an award be made to Aquatic Informatics, Inc. (DBA Tokay Software); and

**WHEREAS**, services under this agreement are to be provided over a period of ten years with funds being reviewed and approved each year of the ten-year contract by City Council and certified by the City Auditor; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$45,200.00 from the Water Operating Fund for year nine of this contract; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Water, to authorize the Director to renew this existing agreement with Aquatic Informatics, Inc. (DBA

Tokay Software) in order to continue using backflow prevention management software services for the Department of Public Utilities; 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 renew the contract with Aquatic Informatics, Inc. (DBA Tokay Software) for software support services and hosting services for an online backflow prevention assembly test report submittal portal.

**SECTION 2.** That the expenditure of \$45,200.00 or so much thereof as may be needed, be and the same hereby is authorized for the ninth year of the contract in Fund 6000 Water Operating Fund in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That 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.

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**Legislation Number:** 3224-2023

**Drafting Date:** 11/9/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This legislation authorizes the Director of Public Utilities to increase funding for Delaware County for sewer service provision during fiscal year 2023 according to an agreement entered into by the City of Columbus and Delaware County in 1991, authorized by Ordinance 2424-91. This agreement authorizes discharge of sewage from Delaware County into the sewer system of the City of Columbus and from the City of Columbus sewer system into the Delaware County sewer system in order to avoid duplication of wastewater treatment. A copy of the original agreement and a 2018 amendment and Memorandum of Understanding (MOU) are attached to this legislation. This agreement was amended by Ordinances 1418-2012 and 0961-2020, which altered the density allowances for certain areas to enhance development and modified certain flow monitoring and billing parameters, respectively.

A previous ordinance - ORD 0071-2023 - authorized the payment of budgeted funds for fiscal year 2023. However, due to increasing trends in the number of billed gallons, as well as a rate increase of \$0.00616 to \$0.00635 per gallon, additional funds are needed to pay for the services.

**SUPPLIER:**

Delaware County | Federal EIN 31-6400065 | D365 Vendor #006181 | Governmental Organization

**FISCAL IMPACT:**

\$1,088,424.91 remains of the 2023-budgeted amount of \$3,500,000.00 to pay the invoices for sewer service provision for quarters three and four. Based on invoice trends, it is estimated the Division of Sewerage and Drainage needs an additional \$250,000.00 to pay for these invoices. A transfer of cash and appropriation within the Sewer Operating Sanitary Fund is needed to align cash and appropriation with the proper object class.

\$2,905,189.09 has been spent in 2023.

\$2,968,386.00 was spent in 2022

\$2,956,122.45 was spent in 2021

**EMERGENCY DESIGNATION:** The Department of Public Utilities respectfully requests this legislation be considered to avoid additional fees.

To authorize the Director of Public Utilities to establish an additional purchase order to make payments to Delaware County for sewer services provided during fiscal year 2023; to authorize the transfer of cash and appropriation within the Sewer Operating Sanitary Fund; and to authorize the expenditure of \$250,000.00 from the Sewer Operating Sanitary Fund; and to declare an emergency. (\$250,000.00)

**WHEREAS,** Ordinance 2424-91 authorized an agreement between the City of Columbus and Delaware County based on a determination that it is in the best economic interests of both parties to avoid duplication of sanitary wastewater treatment; and

**WHEREAS,** Ordinances 1418-2012 and 0961-2020 amended this agreement by altering the density allowances for certain areas to enhance development and modifying certain flow monitoring and billing parameters, respectively; and

**WHEREAS,** this agreement provides for payment by each party for services provided by the other party within certain service area boundaries; and

**WHEREAS,** funds are budgeted yearly by the Division of Sewerage and Drainage for these payments and Ordinance 0071-2023 authorized the payment of budgeted funds for the 2023 fiscal year; and

**WHEREAS,** increasing trends in the amount of billed gallons and a rate increase of \$0.00616 to \$0.00635 per gallon necessitate additional funding to pay for these services in quarters three and four of fiscal year 2023; and

**WHEREAS,** the expenditure of \$250,000.00, or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes attached to the ordinance; and

**WHEREAS,** it is necessary to transfer cash and appropriation within the Sewer Operating Sanitary Fund, Fund 6100, to align cash and appropriation with the proper object class; and

**WHEREAS,** it is necessary to authorize an expenditure of funds from the Sewer Operating Sanitary Fund, Fund 6100, to pay for the services;

**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 increase funding for Delaware County for sewer services provided, without delay, in order to avoid possible funding gap for services and to avoid additional fees, 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 Public Utilities is hereby authorized to make payment to Delaware County, 50 Channing Street, Delaware, Ohio 43015, for the provision of sewer services for the remainder of fiscal year 2023 according to an agreement entered into by the City of Columbus and Delaware County in 1991 authorized by Ordinance 2424-91 and amended by Ordinances 1418-2012 and 0961-2020.

**SECTION 2.** That the transfer of \$250,000.00, or so much thereof as may be needed, is hereby authorized within the Sewer Operating Sanitary Fund, Fund 6100, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$250,000.00, or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes attached to the ordinance.

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

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**Legislation Number:** 3226-2023

**Drafting Date:** 11/13/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND**

This legislation authorizes the Director of the Department of Finance and Management to renew (Renewal No. 2) a contract with Booth Management Consulting, LLC for one additional year to perform subrecipient monitoring services, as well as to provide technical assistance, and grant management training.

The City of Columbus utilized a Request for Proposals (RFP) process to identify and assess qualified Certified Public Accounting (CPA) firms to provide subrecipient monitoring professional services. Proposals were submitted in response to RFQ020261 in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes, and Booth Management Consulting, LLC, received the highest overall score from the RFP committee. Ordinance 0197-2022 authorized the Director of Finance and Management to enter into

contract with Booth Management Consulting for the period March 9, 2022 to January 23, 2023, with the option to extend on a year to year basis for up to an additional three years.

Ordinance 0718-2023 authorized the Department of Finance and Management to modify and extend the contract to January 23, 2024 (Renewal No. 1). To prevent a gap in services, The Department of Finance and Management is seeking authority to renew and extend the contract to January 23, 2025 in order to cover continuing professional services associated with subrecipient monitoring, technical assistance, and grant management training.

**FISCAL IMPACT:** This contract is eligible for and is funded by the State Local Fiscal Recovery Fund, Emergency Rental Assistance Fund, and the Community Development Block Grant Fund and does not require additional funding. Existing encumbrances will be used for this renewal.

**CONTRACT COMPLIANCE:** The vendor number is #040075 and expires 11/08/2025

To authorize the Director of Finance and Management to renew a contract with Booth Management Consulting, LLC for one additional year; and to allow for continuation of services and payment starting January 24, 2024. (\$0.00)

**WHEREAS**, the Department of Finance and Management advertised RFQ020261 in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes, and Booth Management Consulting, LLC, received the highest overall score from the RFP committee; and

**WHEREAS**, the Director of Finance and Management has identified the need to renew a contract with Booth Management Consulting, LLC for one additional year, to provide a continuation of services for subrecipient monitoring, technical assistance, and grant management training; and

**WHEREAS**, to prevent a gap in service, the Department of Finance and Management's agreement shall allow for payment of services starting January 24, 2024; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department Finance and Management be and is hereby authorized to renew a contract with Booth Management Consulting, LLC for one additional year, ending January 23, 2025 for professional services associated with subrecipient monitoring, technical assistance, and grant management training, and to allow for payment of services starting January 24, 2024.

**SECTION 2.** That the City Auditor is authorized to establish such accounting codes as necessary, to make any accounting changes to revise the funding source for all agreements, contracts, or modifications associated with this Ordinance.

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



**Drafting Date:** 11/13/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

**Background:** This ordinance authorizes the Finance and Management Director to establish purchase orders for the purchase of automobiles and light duty trucks, as well as associated up-fitting for the Departments of Public Safety, Development, Finance, Public Service, and Recreation and Parks. The purchase orders for the vehicle purchases will be issued from Universal Term Contracts (UTCs) that have been previously established by the City of Columbus Purchasing Office. Additionally, associated vehicle up-fitting may be purchased through State of Ohio cooperative contracts pending approval by the Purchasing Office. In addition, this ordinance also authorizes the purchase of other related vehicles and up-fitting which will be procured via the competitive bid process per Columbus City Codes Chapter 329.

In accordance with the aforementioned, this ordinance authorizes the Finance and Management Director to establish purchase orders from various UTCs, including but not limited to, George Byers Sons Inc, (PA004790 & PA004948) for the acquisition of automobiles and light duty trucks by the Fleet Management Division for subsequent distribution to various city departments, Law and Order Technology, LLC (PA005823) for the purchase of computers and accessories, Parr Public Safety Equipment Inc (PA005485 & PA005547) for the associated purchase of police vehicle up-fitting, and Ricart Properties (PA004555) for the purchase of used vehicles. These vehicles are to be purchased as replacements for older, high mileage, high maintenance and out of life cycle vehicles currently in service and are more fuel efficient and will relieve the city of maintenance expenses. The current environment for purchasing from Original Equipment Manufacturers (OEM) is unstable and characterized by extremely short order windows. As such, this volatility is requiring a high level of agility in procurement efforts.

George Byers Sons Inc, vendor#006008, PA004790 & PA004948 - Light Duty Trucks & Police Vehicles - expires 6/30/24

Law and Order Technology, LLC, vendor#040906, PA005823 - Computers & Access. - expires 4/30/2024

Parr Public Safety Equipment Inc, vendor#001060, PA005485 and PA005547 - Safety Upfit Service & Emergency Lights UTC - expire 12/30/24 & 11/30/2023 respectively

Ricart Properties, vendor#004963, PA004555 - Pre-Owned Vehicles - expires 3/30/2024

This ordinance also authorizes the Finance and Management Director to establish purchase orders from Ohio Department of Administrative Services (DAS) contracts, after approval of the Purchasing Office, for related up-fitting. Ordinance #582-87 authorizes City agencies to participate in DAS cooperative contracts.

This ordinance also authorizes the Finance and Management Director to establish purchase orders for additional up-fitting needs in accordance with the competitive bidding provisions of Columbus City Code Chapter 329 for upfitting services not otherwise covered via the Parr Public Safety UTC or Ohio Department of Administrative Services contracts.

This ordinance also authorizes the Finance and Management Director to establish purchase orders for price increases of previously ordered vehicles. These include but are not limited to vehicle model year change, increase in materials cost, freight charges for delivery, fuel upcharges or any other increased cost associated with the procurement of the previously ordered vehicle.

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

**Fiscal Impact:** This ordinance seeks authority to expend \$500,000.00 from the Special Income Tax Fund for the acquisition of vehicles and related up-fitting parts/services on behalf of City departments. \$9,000,000.00 was budgeted in the Special Income Tax Fund for the 2023 Citywide Vehicle Acquisitions. Due to increases in costs and completion of vehicle orders and upfitting for several other City Agencies from the funding allocated, the Division of Fleet Management is in need additional funds to complete the required purchases for the year.

**Emergency action** is requested due to the instability of the automobile supply chain. The market volatility of all the OEMs continues with the ongoing shortage of chips and other critical supply line parts to produce vehicles. This limited availability is causing vehicle order windows to open and close, at random, with little to no notice. Therefore, emergency legislation is being requested so that orders can be placed as soon as possible.

**..Title**

To authorize the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) for the purchase of vehicles and vehicle up-fitting needs for use by the Departments of Public Safety, Development, Finance, Public Service, and Recreation and Parks with Byers Ford, Law and Order Technology LLC, Parr Public Safety, and Ricart Properties; to authorize the Director of the Department of Finance and Management to establish purchase orders from DAS cooperative contracts for the purchase of related vehicle up-fitting; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle up-fitting needs which will be purchased in accordance with the competitive bidding provisions of Columbus City Code; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle costs, model year changes, or cost increases; to authorize the appropriation and expenditure of \$500,000.00 from the Special Income Tax Fund; and to declare an emergency. (\$500,000.00)

To authorize the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) for the purchase of vehicles and vehicle up-fitting needs for use by the Departments of Public Safety, Development, Finance, Public Service, and Recreation and Parks with Byers Ford, Law and Order Technology LLC, Parr Public Safety, and Ricart Properties; to authorize the Director of the Department of Finance and Management to establish purchase orders from DAS cooperative contracts for the purchase of related vehicle up-fitting; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle up-fitting needs which will be purchased in accordance with the competitive bidding provisions of Columbus City Code; to authorize the Director of the Department of Finance and Management to establish purchase orders for additional vehicle costs, model year changes, or cost increases; to authorize the appropriation and expenditure of \$500,000.00 from the Special Income Tax Fund; and to declare an emergency. (\$500,000.00)

**WHEREAS**, 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 is necessary as part of the City's ongoing investment in vehicle assets; and

**WHEREAS**, George Byers Sons Inc successfully bid and was awarded contracts PA004790 - Light Duty Trucks, expires 6/30/23 and PA004948- Police Vehicles, expires 6/30/23, Law and Order Technology, LLC, PA005823 - Computers & Access. - expires 4/30/2024, Parr Public Safety Equipment successfully bid and was awarded contract PA005468 - Safety Vehicle Upfit, expires 12/31/24 and PA005547- Emergency Lights UTC, expires 11/30/2023, Ricart Properties successfully bid and was awarded contract PA004555 - Pre-Owned Vehicle, expires 3/30/2023; and

**WHEREAS**, Ordinance #582-87 authorizes city agencies to participate in State of Ohio Cooperative Contracts; and

**WHEREAS**, the State of Ohio Cooperative contracts are available for the City's use for the purchase of associated vehicle up-fitting; and

**WHEREAS**, formal bids for any additional vehicle up-fitting will be conducted by the Purchasing Office in accordance with the competitive bidding provisions of Columbus City Code Chapter 329, and

**WHEREAS**, funding for these vehicles is budgeted and available within the Special Income Tax Fund; and

**WHEREAS**, mobility to complete vehicle purchases is necessary as the process is marked by extremely short order windows and has been suffering increased delays and lack of supply, leading to price increases and model year changes, 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 Director to establish various purchase orders and contracts for the purchase of new vehicles and associated up-fitting for use by City Departments, thereby preserving the public health, peace, property, and safety; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, is hereby authorized to establish purchase orders from previously established Universal Term Contracts for the acquisition of vehicles for use by several City Departments with the following vendors:

George Byers Sons Inc, PA004790 - Light Duty Trucks & PA004948 - Police Vehicles  
Law and Order Technology, LLC, PA005823 - Computers & Access.  
Parr Public Safety Equipment Inc, PA005468 Safety Vehicle Upfit - & PA005547 - Emergency Lights  
Ricart Properties, Inc, PA004555 - Pre-Owned Vehicles

**SECTION 2.** That the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, is hereby authorized to establish purchase orders pursuant to the terms and conditions of State of Ohio Cooperative Contracts pending approval by the Purchasing Office.

**SECTION 3.** That the Director of the Department of Finance and Management Director, on behalf of the Fleet Management Division, is hereby authorized to establish purchase orders from bids conducted in accordance with City of Columbus Code Chapter 329 for any additional associated up-fitting.

**SECTION 4.** That the Director of the Department of Finance and Management, on behalf of the Fleet Management Division, is hereby authorized to establish purchase orders for price increases related to supply chain delays, inventory unavailability, transportation of ordered vehicles and model year changes.

**SECTION 5.** That from the unappropriated monies 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, 2023, the sum of \$500,000.00 is appropriated in the Special Income Tax Fund 4430, Sub-Fund 443001 in Object Class 06, per the account codes in the attachment to this ordinance:

**SECTION 6.** That the expenditure of \$500,000.00, or so much thereof as may be necessary, in regard to the actions authorized in Sections 1, 2, and 3 be and is hereby authorized and approved from the Special Income Tax Fund 4430, Sub-Fund 443001 in Object Class 06 per the accounting codes in the attachment to the ordinance:

**See Attached File: Ord 3235-2023 Legislation Template.xls**

**SECTION 7.** That the monies in the foregoing Sections shall be paid upon order of the Director of the Department 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 8.** That funds are hereby deemed appropriated and expenditures authorized to carry out the purposes of this ordinance, and the City Auditor shall establish such accounting codes as necessary.

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

**SECTION 10.** That the City Auditor is hereby authorized 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 11.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3237-2023

**Drafting Date:** 11/13/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## **1. BACKGROUND**

This ordinance authorizes the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc., for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

Prime Construction Management & Survey, Inc. will be assigned construction projects as tasks on their contract and will ensure the work is performed to City of Columbus construction standards and specifications. As projects are added to the contract, the contract will be modified to authorize Prime Construction Management & Survey, Inc. to perform the work and to add funding to pay for the work.

The construction projects to be administered by Prime Construction Management & Survey, Inc. under this contract modification are 690236-100123 Roosevelt Avenue Area Water Line Improvements; 690236-100099 Atwood Terrace Area Water Line Improvements; 690473-100017 East Broad Tanks Valve Replacement; 690549-100012 CA-CI for General Water Construction Projects; and 650800-100039 Construction Administration Services 2023-2025.

This work will primarily be performed in Community Planning Area “99 - Citywide”.

**1.1. Amount of additional funds to be expended: \$1,204,608.25**

Original Contract:	\$201,851.31 (ORD 1727-2023; PO411801)
Modification #1:	\$72,154.14 (ORD1803-2023 PO TBD)
Modification #2:	<u>\$1,204,608.25</u> (This ordinance)
Total	\$1,478,613.70

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

This is a three-year agreement for fiscal years 2023 - 2025 for which modifications were anticipated pursuant to the original authorizing legislation under Ordinance 1727-2023 to account for future construction projects being assigned to Prime Construction Management & Survey, Inc., as additional tasks requiring contract modifications to authorize Prime Construction Management & Survey, Inc., to perform those tasks and to add funding to pay for the additional work to be performed.

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

This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) timeframe.

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

The cost of this modification was determined by negotiations between Prime Construction Management & Survey, Inc. and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This work will ensure the Department’s construction projects are performed correctly and will last the anticipated service life. No community outreach is planned at this time.

**3. CONTRACT COMPLIANCE INFORMATION**

Prime Construction Management & Survey, Inc. contract compliance number is CC-024771 and expires 10/4/2024.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City's MBE/WBE Program are not applicable to this contract. Prime Construction Management & Survey, Inc. is classified as a majority owned company by ODI. No subcontractors are anticipated to be used for these tasks on the contract. The MBE/WBE percentage for this first task is 0.0%.

## **5. FISCAL IMPACT**

Funds are appropriated and available within the Water Bond Fund, Fund 6006, and the Sanitary Bond Fund, Fund 6109, for these expenditures. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper projects. A transfer of cash and appropriation between projects within the Sanitary Bond Fund, Fund 6109, is also needed to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a contract modification with Prime Construction Management & Survey, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of \$1,204,608.25 split among the Water Bond Fund and the Sanitary Bond Fund for the modification. (\$1,204,608.25)

**WHEREAS**, the Department of Public Utilities advertised a Request for Proposals for Construction Administration/Construction Inspection Services; and

**WHEREAS**, Prime Construction Management & Survey, Inc. was one of six firms selected by the evaluation committee to provide these services; and

**WHEREAS**, Ordinance 1727-2023 authorized the contract with Prime Construction Management & Survey, Inc. for these services and assigned the first task to be performed; and

**WHEREAS**, additional construction inspection/administration tasks needs to be performed; and

**WHEREAS**, the contract with Prime Construction Management & Survey, Inc. will need to be modified to add these tasks to the contract and to add funding to pay for the tasks; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project; and

**WHEREAS**, funds must be expended to pay for the construction administration and inspection services Prime Construction Management & Survey, Inc. provides under the Construction Administration/Construction Inspection Services 2023-2025 contract; **NOW, THEREFORE**,

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**

6006 / 690236 - 100112 / Transite Pipe Replacement (Voted Water Carryover) / \$950,000.00 / \$459,660.00 / (\$490,340.00)

6006 / 690236 - 100099 / Atwood Terrace Area Waterline Improvements (Voted Water Carryover) / \$2,000.00 / \$492,340.00 / \$490,340.00

6006 / 690473 - 100019 / Stelzer Road PRV (Voted Water Carryover) / \$767,094.00 / \$602,304.00 / (\$164,790.00)

6006 / 690473 - 100017 / East Broad Tanks Valve Replacement (Voted Water Carryover) / \$2,000.00 / \$166,790.00 / \$164,790.00

6109 / 650870 - 100000 / Blueprint Integrated Approach (Voted Sanitary Carryover) / \$54,889.00 / \$4,889.00 / (\$50,000.00)

6109 / 650800 - 100039 / Construction Administration Services 2023 to 2025 (Voted Sanitary Carryover) / \$200,000.00 / \$250,000.00 / \$50,000.00

**SECTION 2.** That the transfer of funds and appropriation between projects within the Sanitary Bond Fund, Fund 6109, is authorized per the accounting codes in the attachment to this Ordinance.

**SECTION 3.** That the Director of Public Utilities is authorized to enter into a contract modification with Prime Construction Management & Survey, Inc, 8415 Pulsar Place, Suite 300 Columbus, OH 43240, for construction administration and inspection services, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities, in an amount not to exceed \$1,204,608.25.

**SECTION 4.** That an expenditure not to exceed \$1,204,608.25 is authorized per the accounting codes in the attachment to this Ordinance.

**SECTION 5.** That funds are deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance 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 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3244-2023

Drafting Date: 11/14/2023

Current Status: Passed

Version: 1

Matter Ordinance

Type:

**Background:** Ordinance 2189-2020 authorized the City to enter into the First Partial Amendment to Economic Development Agreement dated January 29, 2021 (the “Amended EDA”) with Hamilton Crossing, LLC (the “Developer”), Casto AP Residential, LLC, The New Albany Company, LLC, and Center State Enterprises, LLC. The Developer’s project adjacent to the N. Hamilton Road and State Route 161 interchange is anticipated to include the design and construction of public infrastructure improvements, and these costs will be reimbursed through per unit payments, TIF revenue, and new community authority (the “NCA”) charges. Ordinance 1421-2021 approved and authorized the Director of the Department of Development (the “Director”) to enter into the Amended and Restated Tax Increment Financing & Reimbursement Agreement dated February 28, 2022 (the “Amended .40 TIF Agreement”) between the City and the Developer to provide for the terms of reimbursing the City and the Developer from the applicable TIF revenue and the per unit payment funds for eligible public infrastructure improvements costs. Pursuant to Resolutions 0032X-2022 and 0060X-2022, City Council then authorized the creation of the Hamilton Crossing Community Authority (the “Authority”). As anticipated in prior legislation and the Amended EDA, this legislation will authorize the Director, on behalf of the City, to enter into the Intergovernmental Cooperative Agreement and First Amendment to Amended .40 TIF Agreement with the Authority and the Developer. It will also establish a new city fund known as the Hamilton Crossing NCA Fund for the acceptance of deposits of NCA charges the City receives from the Authority, and then authorize the appropriation and authorization of the expenditure of such.

**Fiscal Impact:** No funding is required for this legislation. The City is accepting community development charges from the Hamilton Crossing Community Authority for deposit into a newly established NCA fund, and then is appropriating and authorizing the expenditure of those community development charges from such fund in accordance with the Intergovernmental Cooperative Agreement and First Amendment to Amended .40 TIF Agreement with Hamilton Crossing, LLC and Hamilton Crossing Community Authority.

To establish the Hamilton Crossing NCA Fund; to authorize the City Auditor to accept the community development charges from the Hamilton Crossing Community Authority and to deposit such funds into the Hamilton Crossing NCA Fund; to appropriate and authorize the expenditure of the community development charges the City receives for deposit into the new Hamilton Crossing NCA Fund; and to authorize the Director of the Department of Development to enter into the Intergovernmental Cooperative Agreement and First Amendment to the Amended and Restated Tax Increment Financing & Reimbursement Agreement with Hamilton Crossing, LLC and the Hamilton Crossing Community Authority.

**WHEREAS,** Hamilton Crossing LLC (the “Developer”) proposed a mixed-use development consisting of Class A office and retail development, with the potential for hospitality and limited residential development on ±108.02 acres of real property owned or controlled by the Developer and its wholly owned subsidiaries generally located to the south of the intersection of Hamilton Road and State Route 161 (the “Site”); and

**WHEREAS,** in order to develop the Site, the Developer agrees to provide initial financing for the design and construction costs required to complete certain public infrastructure improvements; and

**WHEREAS,** City Council by its Ordinance 2189-2020 authorized the Director of the Department of



Development (the “Director”) to enter into the First Partial Amendment to Economic Development Agreement dated January 29, 2021 (the “Amended EDA”) with the Developer and its partners affirming commitments between the City and the Developer; and

**WHEREAS**, as part of a Public-Private Partnership (P3) under the Amended EDA, the City and the Developer committed to tax increment financing, per unit payments, and a new community authority under Chapter 349 of the Ohio Revised Code to provide financing assistance for the public infrastructure improvements surrounding the Site; and

**WHEREAS**, Ordinance 1421-2021 authorized the Director to enter into the Amended and Restated Tax Increment Financing & Reimbursement Agreement (the “Amended .40 TIF Agreement”) with the Developer to provide for the reimbursement of the public infrastructure improvements costs to the City and the Developer using the applicable TIF funds and per unit payments; and

**WHEREAS**, in accordance with the Amended EDA, Resolutions 0032X-2022 and 0060X-2022 passed by City Council authorized the establishment of the Hamilton Crossing Community Authority (the “Authority”) to assess community development charges of four mills for twenty years to finance land acquisition and development and community facilities including the public infrastructure improvements contemplated herein; and

**WHEREAS**, this ordinance authorizes the Director to enter into the Intergovernmental Cooperative Agreement and First Amendment to the Amended .40 TIF Agreement (the “Agreement”) with the Developer and the Authority to provide for the implementation of the Authority’s community development charges, and to provide the Director the authority to adjust certain deadlines within the Amended .40 TIF Agreement and Amended EDA; and

**WHEREAS**, this ordinance further authorizes the City to accept the community development charges from the Authority, to establish a City fund for the deposit of said charges, and to appropriate and authorize the expenditure of said charges in accordance with the Amended .40 TIF Agreement and the Agreement; **NOW,**

**THEREFORE,**

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

**SECTION 1.** That the Director, or his or her authorized designee, for and in the name of the City, is hereby authorized to execute and deliver the Agreement presently on file with the Director along with any changes or amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director and the City Attorney, provided that the approval of such changes and amendments thereto, and the character of those changes and amendments as not being substantially adverse to the City, shall be evidenced conclusively by the execution and delivery hereof. In the event of any inconsistency between the Amended .40 TIF Agreement and the Agreement with the Amended EDA, the Amended .40 TIF Agreement and the Agreement shall control.

**SECTION 2.** That the Director is authorized to execute subsequent amendments to the Amended .40 TIF Agreement and the Agreement to modify certain Developer related deadlines therein as contemplated in the Agreement (provided such subsequent amendments are not substantially adverse to the City as evidenced by approval of the Director and the City Attorney’s Office), and the Director or other appropriate officers of the City are authorized to execute such other agreements, modifications, and instruments, subject to approval by the City Attorney’s Office, and to take all actions as may be necessary to implement this Ordinance and the transactions

contemplated by the Agreement.

**SECTION 3.** That consistent with the Agreement this Council hereby establishes a city fund related to the Authority (the “Hamilton Crossing NCA Fund”) into which there shall be deposited the community development charges collected by the City from the Authority after the Authority retains an allowance pursuant to the Agreement for its administrative costs (the “Available Charge Revenue”). The City Auditor is hereby authorized to deposit the monies contributed by the Authority to the City into the Hamilton Crossing NCA Fund. The City Auditor may establish the Hamilton Crossing NCA Fund as a new City fund including with any necessary subfunds or project accounts. The Hamilton Crossing NCA Fund shall remain in existence so long as the Available Charge Revenue is collected from the Authority.

**SECTION 4.** That the Available Charge Revenue deposited into Hamilton Crossing NCA Fund created by this Ordinance shall be deemed appropriated for the purposes set forth in this Ordinance, the Agreement, and the Amended .40 TIF Agreement, and authorized to be expended therefrom in accordance with the Agreement and the Amended .40 TIF Agreement, and the City Auditor is authorized to make payments to the Developer or its designee from the Hamilton Crossing NCA Fund in accordance with the Agreement and the Amended .40 TIF Agreement upon order of the Director or his or her designee 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 establish such accounting codes as necessary, to make any accounting changes to revise the funding source for all agreements, contracts, or modifications associated with this Ordinance and the transactions contemplated by the Agreement and the Amended .40 TIF Agreement.

**SECTION 6.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account or subfund 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 7.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3246-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:**

City Council by Ordinance 2117-2005 created ten tax increment financing (TIF) incentive districts in NE Columbus pursuant to Ohio Revised Code Section 5709.40(C) including the “Preserve TIF,” “Dublin-Granville

South TIF,” and “Dublin-Granville North TIF”. Ordinance 2117-2005 has since been amended for various reasons by Ordinances 0715-2009, 2258-2014, 3123-2016, and 2791-2020 (collectively, the “TIF Ordinance”). Ordinance 2791-2020 (the “New TIF Ordinance”) amended the TIF Ordinance and the Dublin-Granville South and North TIF incentive districts in order to remove parcels from them to combine with other parcels to establish a new separate tax increment financing area pursuant to Ohio Revised Code Section 5709.40(B) (the “Dublin-Granville East TIF”). The service payments in lieu of taxes from the Preserve TIF, Dublin-Granville South TIF, Dublin-Granville North TIF, and the Dublin-Granville East TIF are pledged under the Amended and Restated Tax Increment Financing & Reimbursement Agreement dated February 28, 2022 between Hamilton Crossing LLC (the “Developer”) and the City, as authorized by Ordinance 1421-2021.

The Developer has requested the City to amend the boundaries of the Preserve, Dublin-Granville North, and the Dublin-Granville East TIFs in order to fully enclose certain parcels wholly within those TIFs. Due to subsequent parcel combinations after the adoption of the TIF Ordinance and the New TIF Ordinance, Franklin County Tax Parcels 010-274689, 010-247888, and 010-220083 are currently split so a majority of each parcel is within a TIF and a lesser amount is not within any TIF. In addition to causing less revenue to be made available to the City’s TIF, these parcels split between TIFs also create an administrative burden for the Franklin County, Ohio Auditor’s Office. This Ordinance will amend the TIF Ordinance and the New TIF Ordinance and any of their exhibits to adjust the boundaries of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs to include any parcel for which more than half of its territory is within the boundary of these TIFs as set forth in the TIF Ordinance or the New TIF Ordinance to now be included wholly within those respective TIFs and be eligible to be exempt pursuant to the TIF Ordinance or the New TIF Ordinance, including without limitation, Franklin County Tax Parcels 010-274689, 010-247888, and 010-220083.

**Fiscal Impact:** No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received from the improvements on the new territory added to the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs. Instead, the non-school portion of the new TIF revenue will be diverted to its respective TIF fund.

To amend Ordinance 2117-2005, as previously amended by Ordinances 0715-2009, 2258-2014, 3123-2016, and 2791-2020 (collectively, the “TIF Ordinance”) and to amend Ordinance 2791-2020, to include any parcel for which more than half of its territory is within the boundary of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs as set forth in either the TIF Ordinance or Ordinance 2791-2020 to now be wholly included within those respective TIFs and be eligible to be exempt pursuant to the TIF Ordinance or Ordinance 2791-2020; to declare the improvements on the additional territory to the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs parcels to be a public purpose and exempt from real property taxation; to require the owners of the improvements of those TIFs parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Columbus City School District, the New Albany Plain Local School District, and the Eastland-Fairfield Career & Technical Schools; and to deposit the remainder of those service payments into the applicable City TIF funds.

**WHEREAS**, pursuant to Ordinance 2117-2005, as amended by Ordinances 0715-2009, 2258-2014, 3123-2016, and 2791-2020 (collectively the “TIF Ordinance”), City Council created the “Preserve,” “Dublin-Granville North,” and “Dublin-Granville South” TIF incentive districts among ten total TIF incentive districts in NE Columbus by means of Section 5709.40(C) of the Ohio Revised Code; and

**WHEREAS**, City Council passed Ordinance 2791-2020 (the “New TIF Ordinance”), which in addition to amending the TIF Ordinance, established a new TIF pursuant to Section 5709.40(B) of the Ohio Revised Code from parcels removed from the Dublin-Granville North and South TIFs plus other parcels (the new TIF being, the “Dublin-Granville East TIF”); and

**WHEREAS**, City Council, by its Ordinance 1421-2021, authorized the Director of the Department of Development to enter into the Amended and Restated Tax Increment Financing & Reimbursement Agreement with Hamilton Crossing LLC (the “Developer”), which provides for the reimbursement of costs of public infrastructure improvements using the revenue from these four aforesaid TIFs; and

**WHEREAS**, the Developer has requested the City adjust the boundaries of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs in order to wholly capture certain parcels within these TIFs that are currently split by the boundaries of these TIFs due to parcel combinations that have occurred since the passage of the TIF Ordinance and the New TIF Ordinance (the “Additional Territory”); and

**WHEREAS**, the Additional Territory does not generate revenue for the TIF and also creates an administrative burden for the Franklin County, Ohio Auditor’s Office; and

**WHEREAS**, in accordance with the TIF Ordinance or the New TIF Ordinance, the City has determined that an applicable portion of the service payments in lieu of taxes generated from the Additional Territory shall be paid directly to the Columbus City School District, the New Albany Plain Local School District, and the Eastland-Fairfield Career & Technical Schools (the “School Districts”) in an amount equal to the real property taxes that the School Districts would have been paid if the improvement to the Additional Territory located within the School Districts had not been exempt from taxation pursuant to this Ordinance, the TIF Ordinance, or the New TIF Ordinance; and

**WHEREAS**, the City will simultaneously direct and require the current and future owners of each improvement of the Additional Territory to make annual service payments in lieu of taxes in the same amount as they would have made real property tax payments except for the TIF exemption provided by this Ordinance, the TIF Ordinance, or the New TIF Ordinance; and

**WHEREAS**, it is in the best interest of the City to clarify the boundaries of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs to exempt from taxation one hundred percent of the improvements on the Additional Territory to each parcel of the Preserve, Dublin-Granville North, and Dublin-Granville East TIFs that was included in either the TIF Ordinance or the New TIF Ordinance for the remainder of each of those respective exemption terms; **NOW, THEREFORE,**

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

**SECTION 1.** TIF Amendments. That this Council finds and determines that the applicable parts of Exhibit A to the Original TIF Ordinance for the Preserve and Dublin-Granville North TIFs, as may have been previously amended by this Council, and Exhibit A to the New TIF Ordinance for the Dublin-Granville East TIF, are hereby repealed and replaced with Exhibit A attached hereto to add Additional Territory to those TIFs from parcels partially within those TIFs but not fully enclosed by them.

**SECTION 2:** Preserve TIF. That in order to clarify the boundaries of the Preserve TIF, any parcels for which more than half of its territory is within the boundary of the parcels as set forth in the TIF Ordinance shall be

included in the Preserve TIF and eligible to be exempt pursuant to the TIF Ordinance, including, without limitation, tax parcel number 010-274689.

**SECTION 3.** Dublin-Granville North TIF. That in order to clarify the boundaries of the Dublin-Granville North TIF, any parcels for which more than half of its territory is within the boundary of the parcels as set forth in the TIF Ordinance shall be included in the Dublin-Granville North TIF and eligible to be exempt pursuant to the TIF Ordinance, including, without limitation, tax parcel number 010-247888.

**SECTION 4.** Dublin-Granville East TIF. That in order to clarify the boundaries of the Dublin-Granville East TIF, any parcels for which more than half of its territory is within the boundary of the parcels as set forth in the New TIF Ordinance shall be included in the Dublin-Granville East TIF and eligible to be exempt pursuant to the New TIF Ordinance, including, without limitation, tax parcel number 010-220083.

**SECTION 5.** No Other Modifications. That except as provided herein, all other provisions of the TIF Ordinance and the New TIF Ordinance shall remain in full force and effect. It is the intent of City Council that the TIF Ordinance and this Ordinance as well as the New TIF Ordinance and this Ordinance each be separately construed together as single instruments.

**SECTION 6.** Further Authorizations. That this Council ratifies the delivery of the notice of this Ordinance to the School Districts pursuant to Section 5709.40 and Section 5709.83 of the Ohio Revised Code; hereby authorizes and directs the Director of the Department of Development, the City Clerk, or other appropriate officers of the City or their designees to deliver a copy of this Ordinance and status reports to the Ohio Department of Development pursuant to Section 5709.40(I) of the Ohio Revised Code; to make such arrangements as are necessary and proper for the collection of the service payments in lieu of taxes from the Additional Territory added to each TIF; and further authorizes those same officials of the City and their designees to execute such other agreements and instruments and to take all actions necessary to implement this Ordinance.

**SECTION 7.** Effective Date. That this Ordinance shall tax effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 3247-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** Pursuant to the Economic Development Agreement (the “EDA”) with 1489 Rohr Holding LLC (the “Developer”), City Council, by its passage of Ordinance No. 1447-2020 (the “Original TIF Ordinance”), created the Rickenbacker-317 TIF in accordance with Section 5709.40(B) of the Ohio Revised Code encompassing the Developer’s parcels (the “Site”) and additional industrial parcels adjacent to the south then being developed (the “Original Off-Site Parcels”). Pursuant to the EDA, the City and Developer agreed to use service payment in lieu of taxes from the Site to finance some of

the public infrastructure improvements required in Ordinance No. 3084-2019 rezoning the Site. City Council expanded the Rickenbacker-317 TIF by its passage of Ordinance No. 2563-2020 (the “2020 Expansion TIF Ordinance”) to include additional industrial developments that were approved after the Original TIF Ordinance (the “New Off-Site Parcels”). In the EDA and subsequent TIF agreements authorized by Ordinance Nos. 1460-2020 and 1664-2022, the City reserved the right to use the service payment in lieu of taxes from the Original Off-Site Parcels and the New Off-Site Parcels to finance additional public infrastructure improvements allowed by the Original TIF Ordinance that benefit the Rickenbacker-317 TIF parcels including without limitation for proactive industrial development. Since the passage of the 2020 Expansion TIF Ordinance, more new industrial developments have commenced on parcels south of State Route 317 adjacent to the Rickenbacker-317 TIF (the “2023 Off-Site Parcels”).

This Ordinance will amend the Original TIF Ordinance, as amended by the 2020 Expansion TIF Ordinance, to again expand the Rickenbacker-317 TIF to include the 2023 Off-Site Parcels and provide for a 100% exemption from real property taxation on all nonresidential improvements on the 2023 Off-Site Parcels for a period of not more than thirty (30) years coinciding with the term of the Site, Original Off-Site Parcels and New Off-Site Parcels in the Rickenbacker-317 TIF. The Columbus City School District will receive, in the same manner as usual, all amounts that they would have received in real property taxes had the exemption not been granted to the 2023 Off-Site Parcels. Annual service payments in lieu of taxes will be made with respect to new nonresidential improvements on the 2023 Off-Site Parcels. The applicable portion of those service payments will be distributed directly to the Columbus City School District with the remaining non-school portion of those service payments paid to the City for deposit into the existing TIF fund established by the Original TIF Ordinance to be used for public infrastructure improvements.

**FISCAL IMPACT:** No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received from improvements on the parcels being added by this Ordinance to the Rickenbacker-317 TIF. Instead, the non-school portion of that revenue will be diverted to the Rickenbacker-317 TIF Fund to be used for public infrastructure improvements benefiting the Rickenbacker-317 TIF parcels.

To amend Ordinance No. 1447-2020, as amended by Ordinance No. 2563-2020, to add certain parcels of real property to the Rickenbacker-317 TIF; to declare the nonresidential improvements to those new TIF parcels added by this Ordinance to be a public purpose and 100% exempt from real property taxation for the same 30-year period as the existing parcels; to require the owners of those new parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the school district(s); and to deposit the remainder of those service payments in the Rickenbacker-317 TIF Fund for public infrastructure improvements.

**WHEREAS,** Sections 5709.40(B), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “TIF Statutes”) authorize the legislative authority of a municipal corporation, by ordinance, to: (i) declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, (ii) require the owner of each parcel to make service payments in lieu of taxes, (iii) provide for the distribution of the applicable portion of such service payments to the joint vocational, city, local or exempted village school district, (iv) establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments, and (v) specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

**WHEREAS**, pursuant to Ordinance No. 1443-2020, the City executed with 1489 Rohr Holding LLC (the “Developer”) an Economic Development Agreement dated July 30, 2020 (the “EDA”) stating the parties’ desire to create a TIF for the Developer’s parcels (the “Site”) and additional industrial parcels to the south of the Site under construction (the “Original Off-Site Parcels”); and

**WHEREAS**, by Ordinance No. 1447-2020 (the “Original TIF Ordinance”), this Council created the “Rickenbacker-317 TIF” in accordance with the TIF Statutes encompassing the Site and the Original Off-Site Parcels; and

**WHEREAS**, after the passage of the Original TIF Ordinance, the Department of Development negotiated with other developers to bring more new industrial projects to the area around the Rickenbacker-317 TIF (the “New Off-Site Parcels”), so Council subsequently authorized adding the New Off-Site Parcels to the Rickenbacker-317 TIF by passage of Ordinance No. 2563-2020 (the “2020 Expansion TIF Ordinance”); and

**WHEREAS**, pursuant to the EDA and subsequent TIF agreements authorized by Ordinance Nos. 1460-2020 and 1664-2022, the City and Developer agreed to use service payment in lieu of taxes from the Site to finance some of the public infrastructure improvements required by Ordinance No. 3084-2019 rezoning the Site; and

**WHEREAS**, under those agreements, the City reserved the right to use the service payment in lieu of taxes from the Off-Site Parcels and the New Off-Site Parcels to finance public infrastructure improvements allowed in the Original TIF Ordinance that directly benefit the Rickenbacker-317 TIF parcels; and

**WHEREAS**, in order to more quickly finance public infrastructure improvements in and around the Rickenbacker-317 TIF area, including without limitation for proactive industrial development, the Department of Development desires to again expand the Rickenbacker-317 TIF, pursuant to the TIF Statutes, to include without limitation the parcels of real property identified and depicted on Exhibit A attached hereto (with each existing or future parcel(s) added by this Ordinance referred to herein collectively as the “2023 Off-Site Parcels, and together with the Original Off-Site Parcels and the New Off-Site Parcels, referred to individually as a “Parcel” and collectively as the “Parcels” for purposes of the Original TIF Ordinance); and

**WHEREAS**, this Ordinance again expands the Rickenbacker-317 TIF and provides for a 100% exemption from real property taxation on all nonresidential improvements on the 2023 Off-Site Parcels for a period of not more than thirty (30) years coinciding with the same exemption term of the Site, Off-Site Parcels, and New Off-Site Parcels in the Rickenbacker-317 TIF; and

**WHEREAS**, the City has determined that a portion of the service payments, as applicable, shall be paid directly to the Columbus City School District, Hamilton Local School District, and the Eastland-Fairfield Career and Technical Schools (the "School Districts") in an amount equal to the real property taxes that the school district would have been paid if the nonresidential improvements to the 2023 Off-Site Parcels located within the School Districts had not been exempt from taxation; and

**WHEREAS**, the remaining non-school portion of those service payments from the 2023 Off-Site Parcels will be paid to the City for deposit into the Rickenbacker-317 TIF Fund established in the Original TIF Ordinance to be used to fund public infrastructure improvements directly benefiting the Parcels; and

**WHEREAS**, notice of this proposed Ordinance has been delivered to the Boards of Education of the School

Districts in accordance with and within the time periods prescribed in Sections 5709.40 and 5709.83 of the Ohio Revised Code; **NOW, THEREFORE,**

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

**SECTION 1.** TIF Amendments. That Amended Exhibit A of the 2020 Expansion TIF Ordinance is hereby repealed and replaced with Exhibit A, attached hereto, to supplement the Parcels on Amended Exhibit A to include the 2023 Off-Site Parcels in the Rickenbacker-317 TIF as set forth in this Exhibit A.

**SECTION 2.** Parcels of the Rickenbacker-317 TIF. That the Parcels, as defined in the Original TIF Ordinance and the 2020 Expansion TIF Ordinance and set forth in each prior Exhibit A, are hereby supplemented to include the 2023 Off-Site Parcels as set forth in this Exhibit A; the Site, Original Off-Site Parcels, New Off-Site Parcels, and 2023 Off-Site Parcels shall each be considered a Parcel and included in the Parcels for all purposes of the Original TIF Ordinance, as amended hereby.

**SECTION 3.** 2023 Off-Site Parcels Exemption Term. That the exemption period for one-hundred percent (100%) of the Improvement, as defined in the Original TIF Ordinance, to those 2023 Off-Site Parcels commences and ends on the same term as the Parcels, all in accordance with the requirements of the Original TIF Ordinance, the 2020 Expansion TIF Ordinance, and the TIF Statutes.

**SECTION 4.** Subordination. That the TIF exemption granted herein and by the Original TIF Ordinance to the 2023 Off-Site Parcels and the payment obligations established pursuant to the Original TIF Ordinance and this Ordinance are subject and subordinate to any tax exemption applicable to the 2023 Off-Site Parcels pursuant to Section 140.08 or Sections 5709.12 and 5709.121 or under Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code.

**SECTION 5.** School Districts. That, pursuant to the TIF Statutes, the County Treasurer is requested to distribute the applicable service payments and property tax rollback payments to the School Districts in an amount equal to the amount each would otherwise receive as real property tax payments (including the applicable portion of any property tax rollback payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to the Original TIF Ordinance, the 2020 Expansion TIF Ordinance, and this Ordinance.

**SECTION 6.** No Other Modifications. That, except as provided herein, all provisions of the Original TIF Ordinance and the 2020 Expansion TIF Ordinance shall remain in full force and effect; it is the intent of City Council that the Original TIF Ordinance, the 2020 Expansion TIF Ordinance, and this Ordinance be construed together as a single instrument.

**SECTION 7.** Further Authorizations. That this Council ratifies the delivery of the notice of this Ordinance to the School Districts pursuant to Section 5709.40 and Section 5709.83 of the Ohio Revised Code; authorizes and directs the Director of the Department of Development, the City Clerk, and/or other appropriate officers of the City or their designees to deliver a copy of this Ordinance and status reports to the Ohio Department of Development pursuant to Section 5709.40(1) of the Ohio Revised Code; to make such arrangements as are necessary and proper for the collection of the service payments in lieu of taxes from the 2023 Off-Site Parcels; and further authorizes those same officials of the City and their designees to execute such other agreements and instruments and to take all actions necessary to implement this Ordinance.



**SECTION 8. Effective Date.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3253-2023

**Drafting Date:** 11/14/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The Division of Police was awarded funding through the FY2023 DNA Capacity Enhancement and Backlog Reduction Program from the National Institute of Justice. This federally supported program seeks to improve the infrastructure and analysis capacity of existing state and local crime laboratories that conduct DNA analysis so they can process DNA samples efficiently and cost effectively. Funds have been awarded for additional DNA equipment, analysis supplies, and training analysts in the latest technologies in this ever-evolving field. The cost breakdown for this two-year grant award is as follows: Hire two (2) police evidence technician’s (\$157,542.00), DNA testing equipment and supplies (\$212,344.00), travel and training (\$14,195.00), and other (\$4,190.00).

The official city program contact authorized to act in connection with this \$388,271.00 grant is Crime Lab Manager, Angela Farrington. The grant award start date is October 1, 2023 and ends September 20, 2025.

**FISCAL IMPACT:** This ordinance authorizes an acceptance of the \$388,271.00 grant award and the appropriation of those funds from the National Institute of Justice to improve DNA analysis. The City of Columbus received similar awards of \$342,776.00 in 2019, \$309,036.00 in 2020, \$347,439.00 in 2021 and \$379,664.00 in 2022. No matching funds are required and all grant expenditures will be reimbursed by the grant awarded funding.

To authorize and direct the Mayor of the City of Columbus to accept a FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant award from the National Institute of Justice; to authorize the Crime Lab Manager as the official city representative to act in connection with this grant; and to authorize an appropriation of \$388,271.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the cost of the FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant activities and expenditures. (\$388,271.00)

**WHEREAS,** the Division of Police has been awarded funding through a FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant from the National Institute of Justice for personnel costs for the 2 police evidence technicians, DNA testing equipment supplies, and travel and training; and,

**WHEREAS,** the Columbus Police Crime Lab needs personnel, equipment, supplies, and training to aid in processing DNA samples more efficiently and cost effectively; and,

**WHEREAS,** Crime Lab Manager Angela Farrington has been identified as the official city representative to

act in connection with this FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant and to provide information as required; and,

**WHEREAS**, the grant award period begins on October 1, 2023 and ends September 20, 2025; and,

**WHEREAS**, it is necessary to accept and appropriate the FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant award in order to make funds available for the grant award period; **NOW, THEREFORE**,

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

**SECTION 1.** That the Mayor of the City of Columbus is hereby authorized and directed to accept a FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant for DNA personnel, equipment, supplies, and training for the Columbus Police Crime Lab.

**SECTION 2.** That Crime Lab Manager Angela Farrington is designated as the official city program contact, authorized to act in connection with the FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant, and is to provide any additional information required.

**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 purposes during the grant period, the sum of \$388,271.00 is appropriated upon receipt of an executed grant agreement in Fund 2220 General Government Grants in Object Class 01 Personnel, 02 Materials and Supplies, and 03 Contractual Services, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated in an amount not to exceed the available cash balance in the fund.

**SECTION 5.** That the monies appropriated in the foregoing Section 3 shall be paid upon order of the Director of the Department of Public Safety, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 6.** That, 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 7.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3255-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

This ordinance authorizes the Director of the Department of Public Utilities to renew the contract with Irth

Solutions, LLC to supply, integrate, and support a Ticket Management System (TMS).

The purpose of the TMS is to receive and process utility locate requests generated by Ohio 811 for the Department of Public Utilities (DPU). DPU receives approximately 160,000 locate requests from Ohio 811 annually. Upon receipt of these requests, DPU line location staff marks underground electric, water, sludge, and sewer facilities in the proposed excavation area. TMS is a necessity in ensuring various buried assets are not damaged.

**PROCUREMENT:**

In 2020, DPU solicited a Request for Proposal for a Ticket Management System (RFQ016767). Two (2) proposals (2 MAJ) were received and opened on November 20, 2020. Originally, the Selection Committee recommended further negotiations with 4iQ Solutions, LLC. However, negotiations failed and, pursuant to section 329.28 (h) of Columbus City Code, the Selection Committee recommended an award to Irth Solutions, LLC.

The original contract, authorized by Ordinance 2712-2021, was for one (1) year with the option of five (5) annual renewals, or a portion thereof, based upon mutual agreement of the parties, availability of funding, and approval by Columbus City Council. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested. This ordinance authorizes a renewal for the third year of the contract, which will be extended through February 28, 2025.

This ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes relating to contract modifications and renewals.

1. Amount of additional funds: Total amount of additional funds needed for this renewal No. 2 is \$35,517.68. Total contract amount including this modification is \$104,979.69.
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract.
3. Reason other procurement processes were not used: This renewal is part of the terms of the contract as originally bid.
4. How was cost determined: The cost is in accordance with the original agreement

**SUPPLIER:**

Irth Solutions LLC | D365 Vendor # 008549 | EIN on file | Expires 12/14/2023 |  
The company does not hold MBE or WBE status.

The Contractor 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:**

\$35,517.68 is budgeted and available for this contract renewal.

\$35,983.18 has been spent in 2023

\$33,478.82 was spent in 2022

\$0.00 was spent in 2021

To authorize the Director of the Department of Public Utilities to renew the contract with Irth Solutions, LLC to supply, integrate, and support a Ticket Management System for the Department of Public Utilities; and to authorize the expenditure of \$35,517.68 split among the Electricity, Water, Sanitary Sewer, and Stormwater Operating Funds. (\$35,517.68)

**WHEREAS**, the Department of Public Utilities (DPU) the Department of Public Utilities has a contract with Irth Solutions, LLC for a Ticket Management System (TMS); and

**WHEREAS**, the TMS allows DPU to receive and process utility locate requests generated by Ohio 811 so staff can mark underground electric, water, sludge, and sewer facilities in a proposed excavation area, which is necessary in ensuring various buried assets are not damaged; and

**WHEREAS**, DPU solicited a Request for Proposals for a TMS in 2020 and the original contract language allowed for a one (1) year contract with the option to renew for five (5) additional one (1) year terms, or a portion thereof, based upon mutual agreement of the parties, availability of funding and approval by Columbus City Council; and

**WHEREAS**, Ordinance 2712-2021 authorized the initial year of the contract and Ordinance 3502-2022 authorized the second year to and including February 28, 2024; and

**WHEREAS**, this ordinance authorizes the third year of the contract to and including February 28, 2025; and

**WHEREAS**, this ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes; and

**WHEREAS**, the expenditure of \$35,517.68 or so much thereof as may be needed, is hereby authorized from object class 03, Services, split among the Electricity, Water, Sanitary Sewer, and Stormwater Operating Funds, per the accounting codes attached to the ordinance; 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 renew the contract to supply, integrate, and support a Ticket Management System with Irth Solutions, LLC; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Public Utilities is hereby authorized to renew the contract to supply, integrate, and support a Ticket Management System with Irth Solutions, LLC, 5009 Horizons Dr., Columbus, OH 43230. Renewal No.2 to this contract adds \$35,517.68.

**SECTION 2.** That this renewal is in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes.

**SECTION 3.** That the expenditure of \$35,517.68 or so much thereof as may be needed, is hereby authorized

from object class 03, Services, split among the Electricity, Water, Sanitary Sewer, and Stormwater Operating Funds, per the accounting codes attached to the ordinance.

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

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**Legislation Number:** 3256-2023

**Drafting Date:** 11/14/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify to extend the term end date of the contract from December 31, 2023 through December 31, 2024 with Inservice Training Network, and modify to increase funding in an amount up to \$45,000.00 to continue professional development/certification services for city staff who administer the program, contractors, and their employees.

Original contract amount	\$45,000 .00	PO222797	PY 2020
Renewal No. 1 amount	\$ 0.00	Ord. 2626-2020	PY 2021
Renewal No. 2 amount	\$ 0.00		PY 2022
Renewal No. 3 amount	\$ 0.00	Ord. 2918-2022	PY 2023
Modification No. 1	<u>\$45,000.00</u>		
Total contract amount	\$90,000.00		

The city applied for and received a U.S. Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes grant in late 2019. The grant term is 3 ½ years. This HUD grant funds the Lead Safe Columbus program.

The purpose of the Lead Safe Columbus Grant Program is to generate lead safe affordable housing and to prevent lead poisoning of children and adults within Columbus neighborhoods. The purpose of this contract is to increase the capacity of the City of Columbus to produce high quality, lead based paint inspections, risk assessments, work specifications, and final clearance testing as outlined in the HUD 2012 Guidelines and to generate lead-safe units in a timely and efficient manner for the citizens of Columbus.

This legislation will extend the contract an additional year through the end of the grant period which is December 31, 2024 while adding additional funds to meet program training needs. The grant period has been extended due to Covid-19 through 2024, including the close out period.

Emergency action is requested in order to continue to services without interruption.

**FISCAL IMPACT:** \$45,000.00 is available within the 2019 Lead Grant (G441900) for this purpose.

**CONTRACT COMPLIANCE:** the vendor number is 005113 and expires 10/18/2024.

To authorize the Director of the Department of Development to modify the contract with Inservice Training Network to extend the term end date of the contract from December 31, 2023 to December 31, 2024; to modify the contract to increase funding in an amount up to \$45,000.00 for professional development/certification services for city staff who administer the program, contractors, and their employees; to authorize the expenditure up to \$45,000.00 from the General Government Grant Fund; and to declare an emergency. (\$45,000.00)

**WHEREAS,** the Director of Development has identified the need to modify the contract with Inservice Training Network for additional \$45,000.00, and to modify the term end date of the contract from December 31, 2023 to December 31, 2024 for professional development/certification services for city staff who administer the program, contractors, and their employees; and

**WHEREAS,** The Director of Development entered into an original contract with Inservice Training Network under the provision of Columbus City Code Section 329.19 in April 2020; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that this contract modification should be authorized immediately to continue program services without interruption and in accordance with grant funding time limits, 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 Development be and is hereby authorized to modify the contract with Inservice Training Network to increase funding in an amount up to \$45,000.00 as well as modify to extend the term end date of the contract from December 31, 2023 to December 31, 2024 to continue services without interruption.

**SECTION 2.** That the expenditure of up to \$45,000.00 or so much there of as may be necessary, is hereby authorized within Fund 2220 (General Government Grant Fund), per the accounting codes in the attachment to this ordinance.

**SECTION 3.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 with this ordinance.

**SECTION 5.** 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 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3260-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify the scope of services in a Not for Profit Services Contract with Tony R. Wells Foundation, as additional needs have been determined since creating the program in 2022, and to extend the agreement term to December 31, 2024.

Original	\$ 765,662.00	Ord. 0267-2023	PO369920
Mod 1	<u>\$ 0.00</u>		
Total	\$ 765,662.00		

The original contract with the Tony R. Wells Foundation was established to assist tenants being displaced from Latitude525 in December 2022 and on into 2023. The work with Latitude525 is ending and there is a balance of funds on the contract. There are other tenants in our community facing displacement in an emergency situation that could benefit from these funds. In order to make funds available, the Director requests the modification of the original scope of services to include any eligible displaced tenants with rent subsidies and related expenses, as described in the scope of services. In addition, the Director requests the termination date of the original agreement be modified from 12/31/2023 to 12/31/2024.

**FISCAL IMPACT:** No additional funding is necessary.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to ensure funds are available to tenants at risk of displacement, and to extend the contract termination date to 12/31/2024.

**CONTRACT COMPLIANCE:** the vendor number is 038668 and expires 06/22/2025.

To authorize the Director of the Department of Development to modify the scope of services in a Not for Profit Services Contract with Tony R. Wells Foundation, to request emergency action to ensure funds are available to tenants at risk of displacement, and to extend the agreement term to December 31, 2024; and to declare an emergency. (\$0.00)

**WHEREAS,** the Director of the Department of Development executed a Not for Profit Services Contract with the Tony R. Wells Foundation to assist tenants being displaced from Latitude525 in December 2022 and on into 2023; and

**WHEREAS**, the scope of services needs to be modified as there are other tenants in our community facing displacement in an emergency situation that could benefit from these funds, and have been determined since the creation of the program, and

**WHEREAS**, the date needs to be extended to December 31, 2024 to implement the expanded program, and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary for the Director to extend the contract with the Tony R. Wells foundation to ensure funds are available to tenants at risk of displacement, all for the preservation of the public health, peace, property, safety and welfare; and **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify the scope of services in a Not for Profit Services Contract with Tony R. Wells Foundation to assist other tenants in our community facing displacement in an emergency situation that could benefit from these funds, and to extend the agreement term to December 31, 2024.

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

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**Legislation Number:** 3265-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the following Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator for the Division of Water.

This General Budget Reservation will be used for the rental of equipment with an operator for various projects beyond the scope of the Division's owned equipment. Services required will be obtained in accordance with the contract.

The Purchase Agreement association listed requires approval by City Council in order for the division to expend more than \$100,000.00, per Columbus City Code Chapter 329.

**UNIVERSAL TERM CONTRACT PURCHASE AGREEMENT:**

PA006132 - Rental of Construction Equipment with an Operator - expires 10/31/25



**SUPPLIER:** Travco Construction Inc., Vendor #009944, Expires 9/26/24 MAJ

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:** \$76,000.00 is budgeted and available for this purchase.

\$150,075.13 was spent in 2022

\$221,404.33 was spent in 2021

**EMERGENCY DESIGNATION:** Emergency action is requested because the Division of Water's Vactor Truck is out of service because of needed repairs.

To authorize the Finance and Management Director to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator for the Division of Water; and to authorize the expenditure of \$76,000.00 from the Water Operating Fund; and to declare an emergency. (\$76,000.00)

**WHEREAS,** the Purchasing Office has established a Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator; and

**WHEREAS,** it is now necessary to authorize the expenditure of \$76,000.00 or so much thereof as is needed for the purchase from and within the Water Operating Sanitary Fund; and

**WHEREAS,** the contract will be used for the rental of equipment with an operator for various projects beyond the scope of the Division's owned equipment; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to enter into contract with Travco Construction, Inc. for the purchase of Rental of Construction Equipment with an Operator because the Division of Water's Vactor Truck is out of service because of needed repairs, 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 Finance and Management Director be and is hereby authorized to associate all General Budget Reservations resulting from this ordinance with the appropriate Universal Term Contract Purchase Agreement for the Rental of Construction Equipment with an Operator.

**SECTION 2.** That the expenditure of \$76,000.00 or so much thereof as may be needed, be and is hereby authorized in Fund 6000 (Water Operating-Sanitary) in object class 03 Services per the accounting codes in the attachment to this ordinance.

**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 approves nor vetoes the same.

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**Legislation Number:** 3267-2023

**Drafting Date:** 11/14/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The Department of Finance and Management requests an amendment of the Columbus City Codes for the purpose of depositing 25% of all monies collected under Chapter 362 of the Columbus City Codes to a subfund of the general fund, named the General Fund - Income Tax Set-Aside subfund, to be used for specified purposes, as described below.

The City desires to continue to use the monies set aside as described in current Columbus City Codes Section 362.013(E) primarily for the payment of debt service, but also for other various expenditures excluding personnel costs. In order to isolate a fund as the City's debt retirement fund for use only for the payment of debt service on debt obligations of the City, the Department of Finance and Management desires to use a subfund of the general fund to receive the monies described in current Columbus City Codes Section 362.013(E) and to rename current Fund 4430 as "Debt Retirement Fund." The Department of Finance and Management also requests an amendment of Columbus City Codes Section 362.013 to clarify the allowable uses for such monies. The clarification provided by these amendments supersede operation of Ordinance 1974-2011, necessitating its repeal.

**FISCAL IMPACT:** City income tax proceeds described in Columbus City Codes Section 362.013(E) will be deposited into a subfund of the general fund to be used for payment of debt service, via transfer to the City's debt retirement fund, and for other various expenditures excluding personnel costs.

To amend Columbus City Codes Section 362.013 in order to allow for the deposit of proceeds received from 25% of the City's existing municipal income tax to a subfund of the general fund and to clarify the allowable uses for such monies; to authorize Fund 4430 to be renamed as Debt Retirement Fund; to repeal Ordinance 1974-2011; and to declare an emergency.

**WHEREAS,** the Department of Finance and Management desires to deposit 25% of the City's existing municipal income tax collections into the General Fund - Income Tax Set-Aside subfund 1000-100099; and

**WHEREAS,** the monies from such collections will be used for the payment of debt service, via transfer to the City's debt retirement fund, and also for other various expenditures excluding personnel costs; and

**WHEREAS,** an amendment to Columbus City Codes Section 362.013 is necessary to set forth this procedure and to clarify the allowable uses of funds in such subfund; and

**WHEREAS,** as per current practice, City Council authorization and appropriation will be required for expenditures from such subfund; and

**WHEREAS,** the Department of Finance and Management seeks to rename Fund 4430 as "Debt Retirement Fund;" and

**WHEREAS**, the clarification provided by these amendments supersede operation of Ordinance 1974-2011, necessitating its repeal; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department in that it is immediately necessary to authorize the above-described amendment to Columbus City Codes Section 362.013 so that the practice set forth in the amendment can begin at the start of the city's next fiscal year on January 1, 2024, 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 Columbus City Codes Section 362.013 shall be amended as shown in the attachment to this Ordinance.

**SECTION 2.** That the exiting Columbus City Codes Section 362.013 is hereby repealed.

**SECTION 3.** That Fund 4430 shall be renamed as "Debt Retirement Fund."

**SECTION 4.** That Ordinance 1974-2011 is hereby repealed as superseded by this ordinance.

**SECTION 5.** That the city auditor is authorized to cancel encumbrances in the existing special income tax fund, Fund 4430, and related subfunds and reestablish those encumbrances and appropriation within the General Fund - Income Tax Set-Aside subfund 1000-100099 referenced in the Columbus City Codes Section 362.013 amendment attached hereto.

**SECTION 6.** Any temporary cash deficits in 2024 in the General Fund - Income Tax Set-Aside subfund 1000-100099 resulting from the one-time accounting change in Section 5 may be covered by available cash in the General Fund Basic City Services subfund 1000-100017. Therefore, during 2024, cash deficits in the General Fund - Income Tax Set-Aside subfund 1000-100099 may not at any time exceed the available cash balance in the General Fund Basic City Services subfund 1000-100017. Any transfers necessary to cover temporary cash deficits resulting from the one-time accounting change in Section 5 shall be considered a temporary funding method and will be reimbursed back to the General Fund Basic City Services subfund 1000-100017 from the General Fund - Income Tax Set-Aside subfund 1000-100099.

**SECTION 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source associated with this ordinance.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after January 1, 2024.

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**Legislation Number:** 3268-2023

**Drafting Date:** 11/15/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to associate General Budget Reservations resulting from this ordinance with the appropriate universal term contract purchase agreement(s) on behalf of the Department of Public Safety, Division of Fire for the purchase of SCBA equipment from Atlantic Emergency Solutions, and vehicle repair services from Heritage Fire Equipment, respectively, as required for approval by City Council in order for the division to expend more than \$100,000.00, per City Code Section 329.19(g), for the Division of Fire. This breathing apparatus will provide additional and replacement equipment for current division personnel, as well as new equipment for incoming recruits. Fire SCBA equipment is used by Firefighters as protective breathing outerwear in firefighting situations. Heritage Fire Equipment will be repairing Fire's front line Engine #23, which sustained damage in a collision and needs to

be returned to service as soon as possible.

**Bid Information:** A Purchasing Agreement/Universal Term Contract exists for these expenditures ~ Atlantic Emergency Solutions / Vendor #034448 / PA005038 / Exp. 5-30-2023 - \$285,000.00 // Universal Term Contract ~ Heritage Fire Equipment / Vendor 024589 / PA006291 / Exp. 1-31-2025 - \$33,000.00.

**Emergency Designation:** This legislation is to be declared an emergency measure to make funding immediately available for the purchase of said SCBA equipment for division personnel and apparatus repairs so there is no interruption in supplies, or supply chain shortages.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$318,000.00 from the Division of Fire's Safety Bond Fund for SCBA equipment from Atlantic Emergency Solutions in the amount of \$285,000.00, and \$33,000.00 for apparatus repairs from Heritage Fire Equipment. An amendment to the 2023 CIB and a transfer of funds is required to fund this purchase.

To authorize the City Auditor to transfer funds within the Safety Bond Fund; to authorize the Finance and Management Director to associate general budget reservations resulting from this ordinance with the appropriate universal term contract purchase agreement, on behalf of the Division of Fire, for the purchase of SCBA equipment from Atlantic Emergency Solutions, and apparatus repair services from Heritage Fire Equipment, LLC; to amend the 2023 Capital Improvement Budget; to authorize the expenditure of \$318,000.00 from the Safety Bond Fund; and to declare an emergency. (\$318,000.00)

**WHEREAS,** it is necessary to amend the 2023 Capital Improvement Budget within the Safety Bond Fund; and

**WHEREAS,** it is necessary to transfer cash and appropriation within Public Safety's Capital Improvement Budget to properly align cash and appropriation with projected expenditure; and

**WHEREAS,** there is a need to purchase SCBA equipment for the Division of Fire; and,

**WHEREAS,** there is a need to purchase apparatus repair services for the Division of Fire; and,

**WHEREAS,** universal term contracts have been established by the Purchasing Office with Atlantic Emergency Solutions, and Heritage Fire Equipment, respectively, for these purchases; and,

**WHEREAS,** the Finance and Management Director is authorized to associate General Budget Reservations resulting from this ordinance with the appropriate universal term contract purchase agreement(s) on behalf of the Department of Public Safety, Division of Fire for the purchase of SCBA equipment from Atlantic Emergency Solutions and apparatus repair services from Heritage Fire Equipment; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Director of Finance and Management to associate general budget reservations resulting from this ordinance with the appropriate universal term contract(s)/purchase agreement(s) on behalf of the Division of Fire for these purchases so there is no interruption in supplies or services due to supply chain shortages, 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 2023 Capital Improvement Budget (Ordinance 1711-2023) is hereby amended as follows in order to provide sufficient budget authority for this ordinance:

**Fund / Project / Project Name / Current / Amended / Change**

7701 / P340154-100000 / Fire Station #36 (Voted Carryover) / \$151,055 / \$0 / (\$151,055)  
7701 / P340150-100000 / Fire Apparatus Medics (Voted Carryover) / \$1,540,451 / \$1,395,533 / (\$144,918)  
7701 / P340103-100000 / Fire Facility Renovations (Voted Carryover) / \$327,000 / \$304,972 / (\$22,028)  
7701 / P340123-100000 / Fire Equipment (Voted Carryover) / \$250,906 / \$535,906 / +\$285,000  
7701 / P340152-100000 / Fire Apparatus Engines (Voted Carryover) / \$220,732 / \$253,732 / +\$33,000

**SECTION 2.** That the transfer of \$318,000.00 of cash and appropriation within the Safety Voted Bond Fund be and is hereby authorized, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Finance and Management is hereby authorized to associate the general budget reservations resulting from this ordinance with the appropriate universal term contract purchase agreement(s) with Atlantic Emergency Solutions for the purchase of SCBA equipment and Heritage Fire Equipment for apparatus repair services for the Division of Fire.

**SECTION 4.** That the expenditure of \$318,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Safety Bond Fund, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2 above.

**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 administering said project that the project has been completed and the monies are no longer required for said project.

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

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**Legislation Number:** 3269-2023

**Drafting Date:** 11/15/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to issue a purchase order to Atlantic Emergency Solutions (Vendor #034448) for the purchase of five (5) ambulances for use within the

Division of Fire. The Fire Division is in need of said ambulances for the implementation of alternative emergency response vehicle deployment for use in daily emergency response situations.

**Bid Information:** The Purchasing Office advertised and solicited competitive bids for these vehicles and equipment in accordance with the relevant provisions of Chapter 329 relating to competitive bidding via Request for Quotation No. RFQ025981; two (2) bids were received with the following results:

Penn Care, Inc.	\$97,025.00 per unit	
\$485,125.00 total	low bid was non-responsive as pricing failed to include all specified equipment	
Atlantic Emergency Solutions	\$129,466.00 per unit	\$647,330.00 total

bid met specifications but was non-responsive as bid included an expiration date that preceded Purchasing's 180 day requirement

Given that both vendors submitted non-responsive bids, a bid waiver is requested to award to Atlantic Emergency Solutions whose specified ambulance and related equipment met all specifications. Further, time constraints and price volatility do not allow for the re-bidding of these vehicles and equipment.

**Emergency Designation:** The Division of Fire requests emergency legislation so that the purchase of said emergency response vehicles and related equipment can commence as soon as possible to avoid potential supply chain delays.

**FISCAL IMPACT:** Unencumbered cash will be available upon transfer within the Safety Bond Fund for this purchase. Amendments to the 2023 Capital Improvement Budget are necessary.

To authorize and direct the City Auditor to transfer \$647,330.00 between projects within the Safety Bond Fund; to amend the 2023 Capital Improvement Budget; to waive the competitive bidding and sale of surplus provisions of the Columbus City Codes; to authorize the Finance and Management Director to enter into a contract with and issue a purchase order to Atlantic Emergency Solutions for the purchase of five (5) ambulances in the amount of \$647,330.00; to authorize the expenditure of \$647,330.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$647,330.00)

**WHEREAS,** a need exists within the Fire Division to purchase ambulances for front line EMS response; and

**WHEREAS,** it is necessary to amend the 2023 Capital Improvement Budget; and

**WHEREAS,** it is necessary to transfer cash and appropriation between projects within the Safety Bond Fund; and

**WHEREAS,** it is necessary to authorize the Director of Finance and Management to issue purchase orders to Atlantic Emergency Solutions for the purchase of EMS emergency response apparatus/vehicles and related equipment needed by the Division of Fire; and

**WHEREAS,** a waiver to the competitive bidding of the Columbus City Codes is necessary; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Director of Finance and Management to enter into contracts for these purchases and authorize the City Auditor to transfer said funds from the Special Income Tax Fund into the Safety Voted Bond Fund to purchase said equipment, emergency action is required as funds are needed immediately so that production of these custom apparatus/vehicles can commence upon passage of this ordinance to avoid supply chain delays and accommodate lengthy build times, 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 2023 Capital Improvement Budget (Ordinance 1711-2023) is hereby amended as follows in order to provide sufficient budget authority for this ordinance.

**Fund / Project / Project Name (Funding Source) / Current / Change / Amended**

Fund 7701; P330066-100006; 30-03 Police Impound Lot Resurfacing (Voted Carryover) / \$4,487,056 / (\$647,330) / \$3,839,726

Fund 7701; P340150-100000; Fire Apparatus Replacement - Medics (Voted Carryover) / \$2,908,477 / +\$647,330 / \$3,555,807

Fund 7701; P340150-100000; Fire Apparatus Replacement - Medics (Voted 2019 SIT Supported) / \$647,330 / (\$647,330) / \$0.00

Fund 7701; P330066-100006; 30-03 Police Impound Lot Resurfacing (Voted 2019 SIT Supported) / \$10,512,944/ +\$647,330 / \$11,160,274

**SECTION 2.** That the transfer of cash and appropriation in the amount of \$647,330.00 is hereby authorized between between projects within the Safety Voted Bond Fund 7701, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$647,330.00 or so much thereof as may be needed, is hereby authorized within the Safety Voted Bond Fund 7701, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Finance and Management Director be and is hereby authorized to issue a purchase order to Atlantic Emergency Solutions for the purchase of five (5) ambulances in the amount of \$647,330.00.

**SECTION 5.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 4 above.

**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 administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 7.** That all 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 this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding of the Columbus City Code, Chapter 329, relating to the aforementioned purchase for the Division of Fire.

**SECTION 9.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3270-2023

**Drafting Date:** 11/15/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to issue purchase orders to Horton Emergency Vehicles for the purchase of Fire and EMS emergency response vehicles and related equipment. The Division of Fire has an immediate need to purchase four (4) EMS transport vehicles (medics) from Horton Emergency Vehicles to replace medics that have been removed from service.

**BID INFORMATION:** Horton Emergency Vehicles ~ FID #352018529 / Vendor 007091 ~ The Division of Fire requests to purchase four (4) EMS transport vehicles (medics) in the amount of \$1,512,944.00. Competitive bidding is being waived for Horton Emergency Vehicles for the purchase of these EMS medics. The Division of Fire has standardized its custom EMS response apparatus fleet. This custom apparatus from Horton Emergency Vehicles has been the Fire Division's standardized equipment for several years. In an effort to purchase apparatus that are best for the operations given the quality, durability and customizability Horton offers, as well as the cost effective approach that has resulted from negotiating directly with the manufacturer during the build process. By dealing directly with the manufacturer during the specification and price negotiation processes, the Division of Fire is able to control costs to remain within budgeted funding and manage lead times. The subsequent contracts established by Fleet Management with Horton Emergency Vehicles has also simplified the managing of parts/service after purchase.

**EMERGENCY DESIGNATION:** Current build times are approximately two (2) years for the EMS transport vehicles (medics) being purchased in this ordinance. Emergency action is requested to insure funds are encumbered immediately to allow for the production of these custom apparatus to commence upon passage of this ordinance and confirmation of the subsequent purchase orders to avoid delays in purchasing due to potential supply chain shortages.

**FISCAL IMPACT:** Unencumbered cash is available for transfer within the Safety General Obligation Bond Fund for this purchase; an amendment to the 2023 CIB is necessary for this purchase.

To authorize and direct the City Auditor to transfer \$1,512,944.00 within the Safety General Obligation Bond Fund; to amend the 2023 Capital Improvement Budget; to authorize the Finance and Management Director, on behalf of the Department of Public Safety, to enter into contracts with and issue a purchase order to Horton Emergency Vehicles for the purchase of four (4) EMS transport vehicles in the amount of \$1,512,944.00; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$1,512,944.00 from the Safety General Obligation Bond Fund; and to declare an emergency. (\$1,512,944.00)

**WHEREAS,** the Division of Fire has an immediate need to purchase four (4) EMS transport vehicles (medics) from Horton Emergency Vehicles to replace medics that have been removed from service; and

**WHEREAS,** a transfer of funds within the Safety General Obligation Bond Fund and amendment to the 2023 Capital Improvement Budget is necessary to fund this purchase; and

**WHEREAS,** it is necessary to authorize the Director of Finance and Management, on behalf of the Department of Public Safety, to issue purchase orders to Horton Emergency Vehicles, for the purchase of emergency response vehicles and related equipment needed by the Division of Fire; and

**WHEREAS,** a waiver to the competitive bidding provisions of the Columbus City Codes is requested per the explanation in the attachment to this ordinance; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Director of Finance and Management to enter into contracts for these purchases and authorize the City Auditor to transfer said funds within the Safety General Obligation Bond Fund to purchase said equipment, emergency action is required as funds are needed immediately so that production of these custom apparatus/vehicles can commence upon passage of this ordinance to avoid supply chain delays and accommodate lengthy build times, all for the immediate preservation of the public health, peace, property, safety, and welfare; **NOW, THEREFORE**

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

**SECTION 1.** That the City Auditor is authorized and directed to transfer \$1,512,944.00 or so much thereof as may be needed, within the Safety General Obligation Bond Fund, Fund 7701, per the account codes in the



attachment to this ordinance.

**SECTION 2.** That the 2023 Capital Improvement Budget (Ordinance 1711-2023) is hereby amended as follows in order to provide sufficient budget authority for this ordinance.

**Fund / Project / Project Name (Funding Source) / Current / Change / Amended**

Fund 7701; P330066-100006; 30-03 Police Impound Lot Resurfacing (Voted Carryover) / \$6,000,000.00 / (\$1,512,944.00) / \$4,487,056.00

Fund 7701; P340150-100000; Fire Apparatus Replacement - Medics (Voted Carryover) / \$1,395,533.00 / +\$1,512,944.00 / \$2,908,477.00

Fund 7701; P340150-100000; Fire Apparatus Replacement - Medics (Voted 2019 SIT Supported) / \$1,352,670.00 / (\$1,352,670) / \$0.00

Fund 7701; P340101-100000; 30-04 Fire Apparatus Replacement (Voted 2019 SIT Supported) / \$241,719.00 / (\$160,274.00) / \$81,445.00

Fund 7701; P330066-100006; 30-03 Police Impound Lot Resurfacing (Voted 2019 SIT Supported) / \$9,000,000.00 / +\$1,512,944.00 / \$10,512,944.00

**SECTION 3.** That the expenditure of \$1,512,944.00 or so much thereof as may be needed, is hereby authorized within the Safety General Obligation Bond Fund 7701, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Finance and Management Director, on behalf of the Department of Public Safety, be and is hereby authorized to issue a purchase order to Horton Emergency Vehicles for the purchase of four (4) EMS vehicles in the amount of \$1,512,944.00, on behalf of the Division of Fire.

**SECTION 5.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 1 above.

**SECTION 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 administering said project that the project has been completed and the monies are no longer required for said project.

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

**SECTION 8.** That this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding equipment provisions of the Columbus City Codes, Chapter 329, relating to the aforementioned purchases from Horton Emergency Vehicles for the Division of Fire.

**SECTION 9.** That for the reasons stated in the preamble hereto, which are hereby made a part hereof, this ordinance is declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3274-2023

**Drafting Date:** 11/15/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This legislation authorizes the Director of the Department of Building and Zoning Services (BZS) to enter into a

service contract with Mid-West Presort Mailing Service, Inc. in an amount up to \$100,000.00 for the purpose of providing presorting, mailing, and other mail related services. BZS is in need of these services to convey essential information to the citizens expected to be most impacted by the upcoming Zoning Code Update.

RFQ026187 was posted for this purpose, and Mid-West Presort Mailing Service, Inc. was selected as the lowest, responsive, responsible, and best bidder per the provisions of Chapter 329 of the Columbus City Codes. This legislation authorizes BZS to enter into contract for mailing services provided by Mid-West Presort Mailing Service, Inc. The term of the contract is one year, beginning the earliest a purchase order can be confirmed, at a cost of \$100,000.00. The project may extend beyond one year, so the contract will include the option to renew for two additional one-year terms, subject to mutual agreement, Council reauthorization, and additional funding allocation.

**Contract Compliance:** The vendor's contract compliance number is CC-006678 and is valid through 6-23-2024.

The company is not prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

**FISCAL IMPACT:** Funding is available in the 2023 Development Services Fund Budget.

To authorize the Director of the Department of Building and Zoning Services to execute a service contract with Mid-West Presort Mailing Service, Inc. for the purpose of providing mailing services; and to authorize an expenditure of \$100,000.00 from the Development Services Fund. (\$100,000.00)

**WHEREAS**, Mid-West Presort Mailing Service, Inc. was selected as the lowest, responsive, responsible, and best bidder as a result of RFQ026187 per the provisions of Chapter 329 of the Columbus City Codes; and

**WHEREAS**, the contract authorized by this ordinance will be for a term of one year, beginning as soon as a purchase order can be confirmed, at a cost of \$100,000.00; and

**WHEREAS**, the project may extend beyond one year, so the contract will include two optional one-year extensions beyond the initial one-year contract period, subject to mutual agreement, Council reauthorization, and additional funding allocation; and

**WHEREAS**, it is now necessary to authorize the Director of the Department of Building and Zoning Services to enter into a contract with Mid-West Presort Mailing Service, Inc. to convey essential information to citizens expected to be most impacted by the upcoming Zoning Code Update; **NOW, THEREFORE**,

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

**SECTION 1:** That the Director of the Department of Building and Zoning Services be and is hereby authorized to enter into contract with Mid-West Presort Mailing Service, Inc. in an amount up to \$100,000.00 for the purpose of providing mailing services with two optional one-year extensions beyond the initial one-year contract period, subject to mutual agreement, Council reauthorization, and additional funding allocation; and.

**SECTION 2.** That the expenditure of \$100,000.00, or so much thereof as may be necessary, is hereby authorized from the Department of Building and Zoning Services, Division No. 43-01, Development Services Fund, Fund No. 2240, in object class 03, Purchased Services, per the accounting codes in the attachment to this

ordinance.

See Attached File: Ord. 3274-2023 Attachment.xlsx

**SECTION 3.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance, 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3276-2023

**Drafting Date:** 11/15/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

The Department of Building and Zoning Services (BZS) has a need for the conversion of physical documents into electronic images. Ordinance Nos. 2833-2014, 1487-2016, 0624-2017, 2762-2017, 0851-2018, 0765-2019, 2847-2019, 0657-2020, 1117-2021, 0648-2022, and 1401-2023 authorized purchase orders for document conversion. These document conversion services optimize storage space, reduce future storage costs, and provide efficient access to department information.

RFQ026093 was posted for this purpose, and R3 Uniq Inc. was selected as the lowest, responsive, responsible, and best bidder per the provisions of Chapter 329 of the Columbus City Codes. This legislation authorizes BZS to enter into contract for ongoing document conversion provided by R3 Uniq Inc. The term of the contract is one year, beginning the earliest a purchase order can be confirmed, at a cost of \$150,000.00. This contract will include two optional one-year extensions to allow for project continuity, subject to mutual agreement, Council reauthorization, and additional funding allocation.

**CONTRACT COMPLIANCE:**

Vendor: R3 Uniq Inc. (D365 Vendor Acct. No.: 032623); Certification #: CC-032623 - Exp. 10/17/2025

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 finding for recovery certified search.

**FISCAL IMPACT:** The Department of Building and Zoning Services legislated \$1,443,390.36 (via Ord. 2833-2014), \$252,500 (via Ord. 1487-2016), \$532,511.20 (via Ord. 0624-2017), \$250,000 (via Ord. 2762-2017), \$200,000 (via Ord. 0851-2018), \$291,826.55 (via Ord. 0765-2019), \$85,000 (via Ord. 2847-2019), \$325,000 (via Ord. 0657-2020), \$324,995 (via Ordinance No. 1117-2021), \$377,526.36 (via Ord. 0648-2022), and \$149,960 (via Ord. 1401-2023) for document conversion and e-plan solution services. This legislation authorizes the additional expenditure of \$150,000.00 for document conversion services. Including this request, the aggregate not-to-exceed amount for services is \$4,382,709.47. Funds are available for these services in the 2023 Development Services Fund budget.

To authorize the Director of the Department of Building and Zoning Services to enter into contract with R3

Uniq Inc. for the purchase of document conversion services; and to authorize an expenditure of \$150,000.00 from the Development Services Fund. (\$150,000.00)

**WHEREAS**, R3 Uniq Inc. was selected as the lowest, responsive, responsible, and best bidder as the result of RFQ026093 per the provisions of Chapter 329 of the Columbus City Code; and

**WHEREAS**, the contract authorized by this ordinance will be for a term of one year, beginning as soon as a purchase order can be confirmed, at a cost of \$150,000.00; and

**WHEREAS**, the project may extend beyond one year, so the contract will include two optional one-year extensions beyond the initial one-year contract period, subject to mutual agreement, Council reauthorization, and additional funding allocation; and

**WHEREAS**, funds for this project are in the Development Services Fund; and

**WHEREAS**, it is now necessary to authorize the Director of the Department of Building and Zoning Services to enter into a contract with R3 Uniq Inc. to ensure continuation of document conversion services for the optimization of storage space, reduction of future storage costs, and provision of efficient access to department information; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Building and Zoning Services, be and is hereby authorized to enter into contract with R3 Uniq Inc. for the purchase of document conversion services for a period of one year in an amount not to exceed of \$150,000.00 with two optional one-year extensions, subject to mutual agreement, Council reauthorization, and additional funding allocation.

**SECTION 2.** That the expenditure of \$150,000.00, or so much thereof as may be necessary, is hereby authorized from the Department of Building and Zoning Services, Division No. 43-01, Development Services Fund, Fund No. 2240, in object class 03, Purchased Services, per the accounting codes in the attachment to this ordinance.

See Attached File: Ord. 3276-2023 Legislation Attachment.xlsx

**SECTION 3.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance, 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3284-2023

**Drafting Date:** 11/15/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify the contract with ATC Group Services LLC to extend the term of the agreement from February 28, 2024 until December 31, 2024, to continue to provide lead risk assessments and lead clearance to sustain lead-safe housing.

Original      \$ 31,000.00 PO375260  
Mod 1        \$ \_\_\_\_\_ .00  
Contract Total    \$ 31,000.00

To provide lead risks assessments for homeowners involved in the Housing Division’s Critical Home Repair Program not qualified for the Lead Grant Program. The assessments will inform City staff of lead based paint items that may be present in their homes in order for the items to be addressed following State of Ohio, HUD, and EPA lead based paint protocols.

An Invitation to Bid was posted for these services, and the lowest and most responsible bid was accepted and the contract was awarded to ATC Group Services LLC as part of the procurement process. The contract was originally created for services through February 28, 2024, but the remaining funds are being asked to be modified and carried forward thru the requested modification date of December 31, 2024 per Columbus City Code Chapter 329.09.

ATC Group Services LLC are doing a great job providing these services, and to avoid the need for uninterrupted services, it is in the best interest to use this vendor with funding that is currently established on PO375260, there are no additional funds being requested as part of this ordinance.

**FISCAL IMPACT:** No additional funding is necessary.

**CONTRACT COMPLIANCE:** the vendor number is 008456 and expires 9/19/2024.

To authorize the Director of the Department of Development to modify the contract with ATC Group Services LLC to extend the term of the agreement from February 28, 2024 until December 31, 2024. (\$0.00)

**WHEREAS,** the Director of the Department of Development executed an agreement with ATC Group Services LLC for assessment and clearance services; and

**WHEREAS,** the agreement term needs to be extended in order to expend all of the funds originally appropriated; **NOW THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify the contract with ATC Group Services LLC (PO375260) to extend the contract term to December 31, 2024, in order to expend all of the funds.

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

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**Legislation Number:** 3295-2023

**Drafting Date:** 11/16/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify the contract with Shamrock Asphalt Services LLC to extend the term of the agreement from December 31, 2023 until December 31, 2024, to continue to provide roof replacement services for the health and safety of City of Columbus homeowners;

Original	\$ 175,000.00	Ord Number 1496-2023	PO397294
Mod 1	<u>\$ .00</u>		
Contract Total	\$ 175,000.00		

To continue to provide roof replacement services for the Division of Housing’s Roof Replacement Program. The program was established to assist low and moderate income homeowners with the replacement of roof and roof elements that constitute a critical condition, and when such conditions are not corrected, could cause the homeowner to vacate their home

The department advertised RFQ024413 through Vendor Services and accepted bids through Bonfire, requesting contractors to provide roof replacement services. The effort was advertised from March 20, 2023, to April 11, 2023. The department notified 205 registered vendors, seven bids were received, and two were deemed non-responsive.

The Director of Development entered into contract with the three lowest, responsive, responsible, and best bidders as multiple contractors are needed for this program. Shamrock Asphalt Services LLC was one of the selected contractors.

**FISCAL IMPACT:** No additional funding is necessary.

**CONTRACT COMPLIANCE:** the vendor number is 032203 and expires 5/8/2025.

To authorize the Director of the Department of Development to modify the contract with Shamrock Asphalt Services LLC to extend the term of the agreement from December 31, 2023 until December 31, 2024. (\$0.00)

**WHEREAS**, the Director of the Department of Development executed an agreement with Shamrock Asphalt Services LLC for roof replacement services; and

**WHEREAS**, the agreement term needs to be extended in order to expend all of the appropriated funds;  
**NOW THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify the contract with Shamrock Asphalt Services LLC (PO397294) to extend the contract term to December 31, 2024, in order to expend all appropriated funds.

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

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**Legislation Number:** 3299-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a construction contract with Complete General Construction Company for CIP #650790-122181 Inflow Redirection Markison; #650790-122182 Hydraulic Modifications to CSO Regulator Markison; and #690236-100176 Wilson Ave Waterline Improvements, in an amount up to \$30,447,881.42; and to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$4,000.00 (for a total expenditure of \$30,451,881.42).

The work for this contract consists of approximately 19,538 feet of new storm sewer of various sizes, 209 structures (curb inlets/catch basins/manholes) 5,783 feet of new water mains of various sizes, pavement planning/replacement, demolition of existing combined sewer overflow (CSO) regulator/sanitary diversion structures, installation of new CSO regulator/sanitary diversion structures, and other such work as may be necessary to complete the contract. New storm sewers are to be constructed on Wilson Avenue, Linwood Avenue, Oakwood Avenue, Lockbourne Road, Studer Avenue, Markison Avenue, Jenkins Avenue, Frebis Avenue, Gates Street, Thurman Avenue, Deshler Avenue, Stewart Street, Reinhard Avenue, and Sheldon Avenue.

The Community Area for this ordinance will be 63, South Side.

**TIMELINE:** All work is to be substantially complete within 546 calendar days of the Notice to Proceed, with final completion to occur within 680 calendar days. The City anticipates issuing a Notice to Proceed on or about January 2, 2024.

**ESTIMATED COST OF PROJECT:** The bid amount and proposed award amount for the Public Sewer project is \$28,345,080.39, including a 15% construction contingency amount; and is \$2,102,801.03 for the Water Line project, including a 10% construction contingency. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract if unforeseen difficulties are encountered.

Cost summary:

Original Contract	\$30,447,881.42
Future Anticipated Needs	\$0.00
Prevailing Wage Services	<u>\$4,000.00</u>
CONTRACT TOTAL	\$30,451,881.42

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project is a Consent Order project as identified in the Integrated Plan and 2015 WWMP Update Report needed to mitigate Combined Sewer Overflow (CSO) at the Markison CSO Regulator to a Typical Year Level of Service. This project will also mitigate potential water-in-basement occurrences in the Markison combined sewer basin up to the 10-year Level of Service.

Post cards were mailed to properties within the project boundary for a virtual Public Meeting held Tuesday, September 26, 2023.

**3. CONSTRUCTION CONTRACT AWARD**

An Invitation for Bids for Inflow Redirection Markison, Hydraulic Modifications to CSO Regulator Markison, and Wilson Ave Waterline Improvement projects were advertised on the Vendor Services and Bid Express websites from 10/11/23 through 11/08/23. One bid was received for the project and was opened on 11/08/23. The following company submitted a bid:

<u>Company</u>		<u>Bid Amount</u>	<u>Compliance Number</u>
<u>ODI Status</u>			
Complete General Construction Company	\$30,447,881.42	CC006056	MAJ

The Complete General Construction Company bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$30,447,881.42.

The certification of Complete General Construction Company was in good standing at the time the bid was awarded.

**4. CONTRACT COMPLIANCE INFORMATION**

Complete General Construction Company’s contract compliance number is CC006056 and expires 5/10/25.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction Company.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**



This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 8% as assigned by the City’s Office of Diversity and Inclusion (ODI). After review of the Utilization Plan and other related information the contractor submitted with their bid response, an MBE/WBE Program goal of 8% for this contract has been established. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the bid documents for this contract.

Complete General Construction Company listed the following companies as subcontractors for this project:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Cap Stone & Associates	Columbus, Ohio	WBE
Bridges Hauling	Columbus, Ohio	MBE
JN Graham Trucking	Circelville, Ohio	EBE

The certification of Complete General Construction Company and the above companies were in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

Complete General Construction Company and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

**7. FISCAL IMPACT**

Funding for the 650790-122181 Inflow Redirection Markison and 650790-122182 Hydraulic Modifications to CSO Regulator Markison construction portion of this contract will be obtained through a loan from the Water Pollution Control Loan Fund (WPCLF), jointly administered by the Ohio EPA's Division of Environmental and Financial Assistance and the Ohio Water Development Authority (OWDA). City Council authorized this loan application and acceptance of funding via Ordinance 2767-2023 passed by Council on 10/30/23. The loan is expected to be approved in late January, 2024. Funds will need to be certified against the Sanitary Sewer Reserve Fund, Fund 6102, to proceed with this project until the loan is approved. Funds will need to be appropriated within the Sanitary Sewer Reserve Fund, Fund 6102, transferred to the Sanitary Revolving Loan Fund, Fund 6111, and then appropriated in the Sanitary Revolving Loan Fund, Fund 6111, in order to fund these expenditures. These transactions are a temporary measure that is required until such time as the division is able to execute a loan with the WPCLF and reimburse the Sanitary Sewer Reserve. An amendment to the 2023 Capital Improvement Budget is needed to reflect the loan funding.

Funding for the 690236-100176 Wilson Ave Waterline Improvements portion of the contract, in the amount of \$2,102,801.03, and for the Department of Public Service for prevailing wage services in the amount of \$2,000.00, is available and appropriated in the Water Bond Fund, Fund 6006. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project.

Funding in the amount of \$2,000.00 for the prevailing wage services for 650790-122181 Inflow Redirection Markison and 650790-122182 Hydraulic Modifications to CSO Regulator Markison are budgeted, available, and appropriated in the Sanitary Bond Fund, Fund 6109.

**8. EMERGENCY DESIGNATION**

Emergency designation is requested for this ordinance. This project is a Consent Order project as identified in the Integrated Plan and 2015 Wet Weather Management Plan Update Report with a Substantial Completion date of July 1, 2025. It is needed to mitigate Combined Sewer Overflow (CSO) at the Markison CSO Regulator to a Typical Year Level of Service and to mitigate potential water-in-basement occurrences in the Markison combined sewer basin up to the 10-year Level of Service. Construction must begin as soon as possible to be able to meet the completion date in the consent order.

To authorize the Director of Public Utilities to enter into a construction contract with Complete General

Construction Company for the Inflow Redirection Markison, Hydraulic Modifications to Combined Sewer Overflow Regulator Markison, and Wilson Ave Waterline Improvements projects; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the appropriation and transfer of funds from the Sanitary Sewer Reserve to the Sanitary Revolving Loan Fund; to authorize the appropriation of funds within the Sanitary Revolving Loan Funds; to authorize the expenditure of up to \$30,451,881.42 from the Sanitary Revolving Loan Fund, the Sanitary Bond Fund, and the Water Bond Fund to pay for the project; and to declare an emergency. (\$30,451,881.42).

**WHEREAS**, the Department of Public Utilities is engaged in the Inflow Redirection Markison, Hydraulic Modifications to CSO Regulator Markison, and Wilson Ave Waterline Improvements project; and

**WHEREAS**, one bid for the project was received and opened on 11/08/23; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Complete General Construction Company; and

**WHEREAS**, Ordinance 2767-2023 approved this project to be funded by a loan obtained through the Water Pollution Control Loan Fund (WPCLF); and

**WHEREAS**, the 2023 Capital Improvement Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to both appropriate funds in the Sanitary Sewer Reserve Fund and to authorize the transfer of said funds into the Sanitary Revolving Loan Fund in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Sanitary Sewer Reserve Fund; and

**WHEREAS**, the funds transferred into the Sanitary Revolving Loan Fund must be appropriated; and

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

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction contract with Complete General Construction Company for the Inflow Redirection Markison, Hydraulic Modifications to CSO Regulator Markison, and Wilson Ave Waterline Improvements project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Sanitary Revolving Loan Fund, the Sanitary Bond Fund, and the Water Bond Fund to pay for the project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to execute the contract so construction can begin as soon as possible to mitigate Combined Sewer Overflow (CSO) at the Markison CSO Regulator to a Typical Year Level of Service and to mitigate potential water-in-basement occurrences in the Markison combined sewer basin up to the 10-year Level of Service to be able to meet the substantial completion date of 7/1/25 in the consent order for this project, 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 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**

6111 / 650790-122181 / Inflow Redirection Markison (WPCLF/OWDA) / \$0.00 / \$28,345,080.00 / \$28,345,080.00 (To match the loan amount)

6006 / 690236-100174 / Innovation District Water Extension (Voted Water Carryover) / \$2,450,000.00 / \$500,740.00 / (\$1,949,260.00)

6006 / 690236-100176 / Wilson Ave Waterline Improvements (Voted Water Carryover) / \$202,659.00 / \$2,151,919.00 / \$1,949,260.00

**SECTION 2.** That from the unappropriated monies 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, 2023, the sum of \$28,345,080.39 is appropriated in the Sanitary Reserve Fund, Fund 6102, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$28,345,080.39, or so much thereof as may be needed, is hereby authorized between the Sanitary Reserve Fund, Fund 6102, and the Sanitary Revolving Loan Fund, Fund 6111, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the appropriation of \$28,345,080.39, or so much thereof as may be needed, is hereby authorized in the Sanitary Revolving Loan Fund, Fund 6111, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the Director of Public Utilities is hereby authorized to enter into a construction contract for the Inflow Redirection Markison, Hydraulic Modifications to CSO Regulator Markison, and Wilson Ave Waterline Improvements project with Complete General Construction Company, 1221 East Fifth Ave., Columbus, OH 43219, in an amount up to \$30,447,881.42; in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to obtain the necessary construction administration and inspection services for this project from the Department of Public Services in an amount up to \$4,000.00.

**SECTION 6.** That the expenditure of \$30,451,881.42, or so much thereof as may be needed, is hereby authorized to pay for this contract per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That upon obtaining other funds for the purpose of funding sewer system and water line capital improvement work, the City Auditor is hereby authorized to repay the Sanitary System Reserve Fund, Fund 6102, the amount transferred above (Section 3), and said funds are hereby deemed appropriated for such purposes.

**SECTION 8.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the

City in a principal amount currently estimated to be \$28,345,080.39 (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 Sanitary Reserve Fund, which is the fund from which the advance for costs of the Project will be made.

**SECTION 9.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 all contracts or contract modifications associated with this ordinance.

**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 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.

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**Legislation Number:** 3300-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Utilities to enter into a contract modification with DLZ Ohio, Inc., for construction administration/inspection services for Department of Public Utilities construction projects bid during the calendar years 2023 through 2025 as part of the Construction Administration/Construction Inspection Services 2023-2025 contracts.

DLZ Ohio, Inc. will be assigned construction projects as tasks on their contract and will ensure the work is performed to City of Columbus construction standards and specifications. As projects are added to the contract, the contract will be modified to authorize DLZ Ohio, Inc. to perform the work and to add funding to pay for the work.

The construction project to be administered by DLZ Ohio, Inc. under this contract modification is CIP #670895-100000 Noe-Bixby Road Street Lighting Improvements. The Noe-Bixby Road Street Lighting Improvements project will install lighting improvements that consist of the installation of LED Cobrahead style street lights with a new 3-wire electrical system.

This work will primarily be performed in Community Planning Area "57 - Mid-East".

**1.1. Amount of additional funds to be expended: \$129,591.25**

Original Contract:	\$725,135.69 (ORD 1768-2023 PO402691)
Modification #1:	\$1,191,867.05 (ORD 2111-2023 PO411979)
Modification #2:	\$1,822,179.64 (ORD 2942-2023)
<u>Modification #3:</u>	<u>\$129,591.25 (current)</u>
Total	\$3,868,773.63

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

This is a three-year agreement for fiscal years 2023 - 2025 for which modifications were anticipated pursuant to the original authorizing legislation under Ordinance 1727-2023 to account for future construction projects being assigned to DLZ Ohio, Inc. as additional tasks requiring contract modifications to authorize DLZ Ohio, Inc. to perform those tasks and to add funding to pay for the additional work to be performed.

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

This is a multi-year contract that will be modified as required to provide construction administration/inspection services for construction projects that bid during the three year (2023-2025) time frame.

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

The cost of this modification was determined by negotiations between DLZ Ohio, Inc. and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The installation and conversion to LED lighting within the project area will provide both an additional sense of safety and security to the residents. This may also deter criminal activity, which would lessen the financial impact on city resources such as the Police and Fire departments.

**3. CONTRACT COMPLIANCE INFORMATION**

The DLZ Ohio, Inc. contract compliance number is CC-004939 and expires 10/24/2024.

The certification of DLZ Ohio, Inc. was in good standing at the time of this contract modification.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City’s MBE/WBE Program are not applicable to this contract. DLZ Ohio, Inc. is ODI certified as an MBE. DLZ Ohio, Inc. does not plan to use subconsultants on this task. The MBE/WBE spend for this project is anticipated to be 100%.

**5. FISCAL IMPACT**

Funds for this expenditure are budgeted, available, and appropriated under project #670895-100000 Noe-Bixby Road Street Lighting Improvements within the Electricity Bond Fund, Fund 6303.

To authorize the Director of the Department of Public Utilities to enter into a contract modification with DLZ Ohio, Inc. for the Construction Administration/Construction Inspection Services 2023-2025 contract related to

the Noe-Bixby Road Street Lighting Improvements project; and to authorize the expenditure of \$129,591.25 from the Electricity Bond Fund for the contract modification. (\$129,591.25)

**WHEREAS**, the Department of Public Utilities advertised a Request for Proposals for Construction Administration/Construction Inspection Services; and

**WHEREAS**, DLZ Ohio, Inc. ("DLZ Ohio") was one of six firms selected by the evaluation committee to provide these services; and

**WHEREAS**, Ordinance 1768-2023 authorized the contract with DLZ Ohio for these services and assigned the first task to be performed; and

**WHEREAS**, an additional construction inspection/administration task needs to be performed; and

**WHEREAS**, the contract with DLZ Ohio will need to be modified to add this task to the contract and to add funding to pay for the task; and

**WHEREAS**, funds must be expended to pay for the construction administration and inspection services DLZ Ohio provides under the Construction Administration/Construction Inspection Services 2023-2025 contract;  
**NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Public Utilities is authorized to enter into a contract modification with DLZ Ohio, Inc., 6121 Huntley Rd, Columbus, Ohio 43229, for construction administration and inspection services under the Construction Administration/Construction Inspection Services 2023-2025 contract related to the Noe-Bixby Road Street Lighting Improvements project, in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities, in an amount not to exceed \$129,591.25.

**SECTION 2.** That an expenditure of \$129,591.25, or so much thereof as may be needed, is authorized from the Electricity Bond Fund, per the accounting codes in the attachment to this Ordinance.

**SECTION 3.** That funds are deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance 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 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3307-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:**

This ordinance approves the acceptance of certain territory (AN23-016) by the city of Columbus. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days from the receipt by the City Clerk of the approval notice from the county. If City Council does not accept the ordinance within 120 days of its first consideration, the annexation will be considered rejected. This petition was filed with Franklin County on July 24, 2023. City Council approved a service ordinance addressing the site on July 31, 2023. Franklin County approved the annexation on September 18, 2023 and the City Clerk received notice on October 9, 2023.

**FISCAL IMPACT:**

Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

To accept the application (AN23-016) of Francisco Anaya, Anaya Communities, LLC for the annexation of certain territory containing 22.7± acres in Prairie Township.

**WHEREAS**, a petition for the annexation of certain territory in Prairie Township was filed on behalf of Francisco Anaya, Anaya Communities, LLC on July 24, 2023; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on September 18, 2023; and

**WHEREAS**, on October 9, 2023, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

**WHEREAS**, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

**WHEREAS**, it is in the best interest of the city of Columbus to accept the annexation of the territory addressed by the petition; **NOW, THEREFORE,**

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

**SECTION 1.** That the annexation proposed by Francisco Anaya, Anaya Communities, LLC in a petition filed with the Franklin County Board of Commissioners on July 24, 2023 and subsequently approved by the Board on September 18, 2023 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Prairie, in Virginia Military Survey No, 1473. being all of the 22.3 acre tract conveyed to Anaya Communities, LLC (Auditor's Parcel No, 240-000192 by Instrument Number 201812140169325), all references being to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at the Southwest corner of Great Oak Section 1 (Plat Book 109, Page 50), northwest corner of said 22.3 acre tract, east line of the Shawn S, Schlosser tract, in the line common to Virginia Military Survey Nos, 1473 and 13071, and being an angle point in an existing City of Columbus Corporation Line established by Ordinance Number 2117-00 of record in Instrument Number 200103150052491;

Thence, easterly along the north line of said 22.3 acre tract, south line of said Great Oak Section 1 and existing

corporation line, approximately 1,643 feet to the intersection of said line with the original easterly right-of-way line of Galloway Road, (County Road 141) being the westerly line of Lot 113 of Laurel Greene, Section No, 2, (Plat Book 55, Page 74), west line of Parcel No, 116-WD conveyed to the Franklin County Commissioners, and in an existing City of Columbus Corporation Line established by Ordinance Number 1263-71, of record in Miscellaneous Record 154, Page 109;

Thence, southerly, along said original right-of-way line and existing corporation line, approximately 603 feet to a point;

Thence, westerly, across Galloway Road, along the southerly line of said 22.3 acres and the northerly line of the Board of Trustees of Prairie Township tract and an existing City of Columbus Corporation Line established by Ordinance Number 0598-01 of record in Instrument Number 200106110130327, approximately 1,636 feet to the southwest corner of said 22.3 acre tract and an angle point in said corporation line;

Thence, northerly, along the westerly line of said 22.3 acre tract, part of said corporation line, east line of said Board of Trustees of Prairie Township and Schlosser tracts, approximately 603 feet to the place of beginning,

CONTAINING APPROXIMATELY 22, 7 ACRES.

THE ABOVE DESCRIPTION WAS PREPARED BY MATTHEW D. FARLEY, PROFESSIONAL SURVEYOR NO. 7566 IN MAY OF 2023 FROM RECORDS OF THE FRANKLIN COUNTY ENGINEER, AUDITOR AND RECORDER'S OFFICES FOR ANNEXATION PURPOSES ONLY, AND IS NOT INTENDED FOR FEE SIMPLE TRANSFER.

**SECTION 2.** That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

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**Legislation Number:** 3308-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND**

This legislation authorizes the Director of the Department of Development to modify a contract with The Water Works LLC to increase the contract amount by \$40,000.00 to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program. This increase is the result of unanticipated increases in service demand compared to the previous year. Contract terms and pricing will not change.

Original contract amount	\$ 40,000.00	Ord. 0333-2022	PO316907
Modification No. 1 amount	\$150,000.00	Ord. 1159-2022	PO326559
Renewal/Mod No. 2 amount	\$ 12,500.00	Ord. 2877-2022	PO361010



Modification No. 3 amount	\$100,000.00	Ord. 0327-2023	PO369599
Modification No. 4 amount	\$100,000.00	Ord. 1517-2023	PO394792
Modification No. 5 amount	\$ 15,000.00	Ord. 1693-2023	PO401574
Modification No. 6 amount	<u>\$ 40,000.00</u>		
Total contract amount	\$457,500.00		

The department advertised RFQ020531 on Vendor Services seeking contractors to provide emergency mechanical repairs on November 22, 2021 with bids being due on December 16, 2021. The Emergency Repair Program is a home repair program operated by the Housing Division. The program was established to assist low and moderate income homeowners with plumbing, sewer repair/replacement, water line repair/replacement, hot water tanks, furnaces, and electrical issues that would impact a household remaining safely in their home. Most homeowners are at or below 50% AMI as defined by HUD with exceptions allowed up to 80% AMI.

A comprehensive RFQ was done in 2021 for these services, and contractors were identified at that time. A new RFQ is currently underway. Prices were initially established with the original contract awarded from RFQ020531.

In May 2022, Columbus City Council approved ordinance 1159-2022 to modify the contract to add additional funds. The contract term did not change.

In November 2022, Columbus City Council approved ordinance 2877-2022 to renew the contract for one additional year and to add additional funds. The contract term did not change.

In February 2023, Columbus City Council approved ordinance 0327-2023 to modify the contract for one additional year and to add additional funds. The contract term did not change.

In June 2023, Columbus City Council approved ordinance 1517-2023 to modify the contract to add additional funds. The contract term did not change.

In July 2023, Columbus City Council approved ordinance 1693-2023 to modify the contract to add additional funds. The contract term did not change.

This legislation will modify the contract to add additional funds. The contract terms will not change.

Emergency action is requested to allow program services to continue without interruption. Existing program funds are diminishing and the program is near ceasing services.

**FISCAL IMPACT:** Funding is available within the Development Taxable Bond Fund. An amendment to the 2023 Capital Improvement Budget is required to establish sufficient budget authority within the proper project.

**CONTRACT COMPLIANCE:** the vendor number is 004777 and expires 3/9/2025.

To amend the 2023 Capital Improvement Budget; to authorize the Director of the Department of Development to modify a contract with The Water Works LLC; to authorize the expenditure of \$40,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$40,000.00)

**WHEREAS**, the Director of Development has identified the need to modify a contract with The Water Works LLC to increase the contract amount by \$40,000.00 to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program; and

**WHEREAS**, the Department of Development advertised RFQ020531 on Vendor Services seeking contractors to provide emergency mechanical repairs on November 22, 2021 and the Director of Development entered into contract with The Water Works LLC under the authority of Columbus City Code Section 329.19; and

**WHEREAS**, Columbus City Council approved ordinance 0333-2022 to enter into contract The Water Works LLC; and

**WHEREAS**, Columbus City Council approved ordinance 1159-2022 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 2877-2022 to renew the contract for one additional year and to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 0327-2023 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 1517-2023 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 1693-2023 to modify the contract to add additional funds; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to modify the contract with The Water Works LLC to allow program services to continue without interruption, all for the preservation of the public health, peace, property, safety and welfare; and; **NOW THEREFORE**,

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

**SECTION 1.** That the Director of Development be and is hereby authorized to modify the contract with The Water Works LLC in an amount up to \$40,000.00, to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program.

**SECTION 2.** That the 2023 Capital Improvements Budget authorized by ordinance 1711-2023 be amended as follows to establish sufficient authority for this amendment:

Fund / Project / Project Name / Current / Change /C.I.B. as Amended

7739 / P782001-100000 / Housing Preservation / \$685,014.00/ \$66,003.00 / \$751,017.00 (to match cash)

**SECTION 3.** That for the purpose as stated in Section 1, the expenditure of \$40,000.00, or so much thereof as may be necessary, is hereby authorized in fund 7739 (Development Taxable Bonds), Project P782001-100000, Dept. 44 10 (Housing), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3309-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:**

This ordinance approves the acceptance of certain territory (AN23-019) by the city of Columbus. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days from the receipt by the City Clerk of the approval notice from the county. If City Council does not accept the ordinance within 120 days of its first consideration, the annexation will be considered rejected. This petition was filed with Franklin County on September 5, 2023. City Council approved a service ordinance addressing the site on September 11, 2023. Franklin County approved the annexation on October 10, 2023 and the City Clerk received notice on October 10, 2023.

**FISCAL IMPACT:**

Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

To accept the application (AN23-019) of Paul D. Adkins for the annexation of certain territory containing 1.463± acres in Madison Township.

**WHEREAS**, a petition for the annexation of certain territory in Madison Township was filed on behalf of Paul D. Adkins on September 5, 2023; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on October 10, 2023; and

**WHEREAS**, on October 10, 2023, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

**WHEREAS**, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

**WHEREAS**, it is in the best interest of the city of Columbus to accept the annexation of the territory addressed by the petition; **NOW, THEREFORE**,

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

**SECTION 1.** That the annexation proposed by Paul D. Adkins in a petition filed with the Franklin County Board of Commissioners on September 5, 2023 and subsequently approved by the Board on October 10, 2023 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, being located in the Northwest Quarter on Section 15, Township 11, Range 21, Congress Lands East of the Scioto River, and being part of that 1.712 acre tract described in deeds to Paul D. Adkins, of record in Instrument Number 202111080203796 and Instrument Number 202111080203737, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows;

BEGINNING at a point on the existing west right-of-way line for Ebright Road, said point being the southwest corner of that Highway Easement described as Parcel 48 in a deed to State of Ohio, of record in Deed Book 2370, Page 469, being the northwest corner of that Highway Easement described as Parcel 44 in a deed to State of Ohio, of record in Deed Book 2370, Page 547, being on the existing corporation line for City of Columbus, being on the south line of said 1.712 acre tract, and being on the north line of that 16.237 acre tract described in a deed to Ebright Road Parent LLC, of record in Instrument Number 202304060032720;

Thence North 85 degrees 44 minutes 46 seconds West, with the existing corporation line for City of Columbus, with the south line of said 1.712 acre tract and with the north line of said 16.237 acre tract, a distance of 346.15 feet to the southwest corner of said 1.712 acre tract, being a northeast corner of said 16.237 acre tract;

Thence North 04 degrees 23 minutes 04 seconds East, with the existing corporation line for City of Columbus, with the west line of said 1.712 acre tract and with an east line of said 16.237 acre tract, a distance of 185.94 feet to the northwest corner of said 1.712 acre tract, being a northeast corner of said 16.237 acre tract, and being on the south line of that 4.954 acre tract described in a deed to William L. Lutz and Angela G. Lutz, of record in Instrument Number 201301090004938;

Thence South 86 degrees 00 minutes 56 seconds East, with the north line of said 1.712 acre tract and with the south line of said 4.954 acre tract, a distance of 336.51 feet to a point on the existing west right-of-way line for Ebright Road, said point being the northwest corner of said Parcel 48, being the southwest corner of that Highway Easement described as Parcel 47 in a deed to State of Ohio, of record in Deed Book 2370, Page 101, and being on the existing corporation line for City of Columbus;

Thence South 03 degrees 22 minutes 40 seconds West, with the existing corporation line for City of Columbus, with the existing west right-of-way line for said Ebright Road, with the west line of said Parcel 48 and through said 1.712 acre tract, a distance of 1.26 feet to a point;

Thence South 01 degree 25 minutes 36 second West, continuing with the existing corporation line for City of Columbus, continuing with the existing west right-of-way line for Ebright Road, continuing with the west line of said Parcel 48 and continuing through said 1.712 acre tract, a distance of 186.48 feet to the POINT OF BEGINNING for this description.

The above description contains 1.463 acres within Franklin County Auditor's Parcel Number 180-000859.

Bearings described hereon are based on North 49 degrees 26 minutes 29 seconds West for the centerline of right of way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

**SECTION 2.** That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

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**Legislation Number:** 3310-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:**

This ordinance approves the acceptance of certain territory (AN23-020) by the city of Columbus. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days from the receipt by the City Clerk of the approval notice from the county. If City Council does not accept the ordinance within 120 days of its first consideration, the annexation will be considered rejected. This petition was filed with Franklin County on September 5, 2023. City Council approved a service ordinance addressing the site on September 11, 2023. Franklin County approved the annexation on October 10, 2023 and the City Clerk received notice on October 10, 2023.

**FISCAL IMPACT:**

Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

To accept the application (AN23-020) of Robert & Judy Johnson and William & Angela Lutz for the annexation of certain territory containing 9.504± acres in Madison Township.

**WHEREAS**, a petition for the annexation of certain territory in Madison Township was filed on behalf of Robert & Judy Johnson and William & Angela Lutz on September 5, 2023; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on October 10, 2023; and

**WHEREAS**, on October 10, 2023, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

**WHEREAS**, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

**WHEREAS**, it is in the best interest of the city of Columbus to accept the annexation of the territory addressed by the petition; **NOW, THEREFORE,**

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

**SECTION 1.** That the annexation proposed by Robert & Judy Johnson and William & Angela Lutz in a petition filed with the Franklin County Board of Commissioners on September 5, 2023 and subsequently approved by the

Board on October 10, 2023 is hereby accepted and said territory is hereby annexed to the city of Columbus.

Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, being located in the Northwest Quarter on Section 15, Township 11, Range 21, Congress Lands East of the Scioto River, being part of that 4.954 acre tract described in a deed to William R. Lutz and Angela G. Lutz, of record in Instrument Number 201301090004938, and being part of that 5.046 acre tract described in a deed to Judith A. Johnson and Robert C. Johnson, of record in Instrument Number 201305080076169, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows; BEGINNING at a point on the existing west right-of-way line for Ebright Road, said point being the southwest corner of that Highway Easement described as Parcel 47 in a deed to State of Ohio, of record in Deed Book 2370, Page 101, being the northwest corner of that Highway Easement described as Parcel 48 in a deed to State of Ohio, of record in Deed Book 2370, Page 469, being on the existing corporation line for City of Columbus, being on the south line of said 4.954 acre tract, and being on the north line of that 1.712 acre tract described in deeds to Paul D. Adkins, of record in Instrument Number 202111080203796 and Instrument Number 202111080203737;

Thence North 86 degrees 00 minutes 56 seconds West, with the south line of said 4.954 acre tract, with the north line of said 1.712 acre tract, with the north line of that 16.237 acre tract described in a deed to Ebright Road Parent LLC, of record in Instrument Number 202304060032720, and with the existing corporation line for City of Columbus, a distance of 1,296.11 feet to the southwest corner of said 4.954 acre tract, being a northeast corner of said 16.237 acre tract, and being on the existing corporation line for City of Columbus;

Thence North 04 degrees 46 minutes 01 seconds East, with the existing corporation line for City of Columbus, with the west line of said 4.954 acre tract, with the west line of said 5.406 acre tract and with an east line of said 16.237 acre tract, a distance of 317.84 feet to the northwest corner of said 5.046 acre tract, being the southwest corner of that 18 acre tract described in a deed to Paula S. Smith, of record in Official Record 15988, Page 118;

Thence South 86 degrees 07 minutes 19 seconds East, with the north line of said 5.046 acre tract, with the south line of said 18 acre tract, and with the south line of that 5.003 acre tract described in a deed to Jodie Sue Conrad and Brent E. Conrad, of record in Official Record 34394, Page G15, a distance of 1,327.25 feet to a point on the existing west right-of-way line for Ebright Road, said point being the northwest corner of said Parcel 47 and being on the existing corporation line for City of Columbus;

Thence South 26 degrees 21 minutes 36 seconds West, with the existing corporation line for City of Columbus, with the existing west right-of-way line for Ebright Road, with the west line of said Parcel 47 and through said 5.046 acre tract, a distance of 99.54 feet to a point;

Thence South 03 degrees 22 minutes 40 seconds West, continuing with the existing corporation line for City of Columbus, continuing with the existing west right-of-way line for Ebright Road, continuing with the west line of said Parcel 47, continuing through said 5.046 acre tract, and through said 4.954 acre tract, a distance of 228.24 feet to the POINT OF BEGINNING for this description.

The above description contains a total of 9.504 acres of which:

4.787 acres is located within Franklin County Auditor's Parcel Number 180-000002.

4.717 acres is located within Franklin County Auditor's Parcel Number 180-005101.

**SECTION 2.** That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

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**Legislation Number:** 3311-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance is being submitted to authorize the Director of the Department of Public Service to file a municipal annexation petition of a 1.075 acre site in Plain Township, Franklin County. This ordinance provides for the acceptance of the property by the City upon approval of the petition by the Franklin County Commissioners. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Upon approval by City Council, a certified copy of this ordinance will be provided to the Franklin County Commissioners in conjunction with an annexation petition.

**FISCAL IMPACT:** This ordinance has no direct fiscal impact. Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

To authorize the Director of the Department of Public Service to file a municipal petition for the annexation of 1.075 acres within Plain Township as provided in Section 709.16 of the Ohio Revised Code and to provide for acceptance of the property by the City of Columbus upon approval of the petition by the Board of Franklin County Commissioners.

**WHEREAS,** the City of Columbus owns 1.075 acres in Plain Township north of the intersection of Central College Rd. and Hamilton Rd., located at 5290 Central College Road (the "Property"); and

**WHEREAS,** the site is not currently within the City of Columbus; and

**WHEREAS,** section 709.16 of the Ohio Revised Code allows for municipalities to file annexation petitions of contiguous territory owned by the municipality, a county, or the state; and

**WHEREAS,** the City owns the Property; and

**WHEREAS,** the City is able to provide municipal services to this site; and

**WHEREAS,** authorization by City Council is necessary for submission of a municipal annexation petition to the Board of Franklin County Commissioners; and

**WHEREAS,** upon receipt of the petition by the City to annex the site, the Board of Franklin County Commissioners must take action within 30 days; and

**WHEREAS**, whereas the City of Columbus desires to add the referenced territory described in detail in Section 1 below to its boundaries if the petition is approved by the Board of Franklin County Commissioners; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Public Service is authorized to file a municipal petition for annexation as outlined in section 709.16 of the Ohio Revised Code for 1.075+/- acres in Plain Township, Franklin County, located north of the intersection of Central College Rd. and Hamilton Rd. and described more specifically as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, Half Sec. 12, Sec. 6, Qtr. Township 2, Township 2, Range 16, United States Military Lands, being part of a 1.218 acre tract as conveyed to the City of Columbus by Instrument Number 201804260054774, all records being of the Recorders Office, Franklin County, Ohio.

Beginning For Reference in the centerline of Central College Road (R/W Varies), at the FCGS Monument Number 8823, being the southerly line of a 40' highway easement as described in Deed Book 2903 Page 342, and being in centerline of Road Record 6 Page 75, thence N 85°37'14"W with the centerline of said Central College Road a distance of 207.60 feet to a point, being the southeast corner of said 1.218 acre tract, being the southwest corner of a 1.298 acre tract as conveyed to James H. Horne and Anna C. Horne as recorded in Deed Book 3685 Page 121, thence N05°10'27"E, 30.00 feet to a point in the northerly right of way line of said Central College Road, being in the east line of said 1.218 acre tract, the west line of said 1.298 acre tract, in the existing City of Columbus corporation line, per ordinance 0006-04 and in I.N. 200403110053675, at the True Point of Beginning,

Thence N 85°37'14"W along the northerly right of way line of Central College Road, along the existing corporate boundary line, a distance of 208.62' to a point in the west line of said 1.218 acre tract, in the east line of a 60 foot right of way of JO-EL Drive as shown on the recorded plat of JO-EL Acres as recorded in Plat Book 46 Page 06;

Thence N 03°13'52"E, along the westerly line of said 1.218 acre tract, and the easterly line of said JO-EL drive a distance of 220.77' to a point at the northwest corner of said 1.218 acre tract, being in the southerly line of said Resubdivision of JO-EL Acres as described in Plat Book 120 Page 32, being in the southerly line of Andrew Reserve Investment Condominium as recorded in CPB 302 Page 578;

Thence S 85°31'13"E, along the northerly line of said 1.218 acre tract, along the south line of the said Resubdivision of JO-EL Acres, the south line of said Andrew Reserve Investment Condominium, the south line of the Hamilton Road and Rocky Knoll Drive Dedication as conveyed in Plat Book 125 Page 40, along the south line of the existing City of Columbus corporate boundary line as found in Ordinance 2647-96 and recorded in O.R. 34003C15, a distance of 216.10' to a point at the northeast corner of said 1.218 acre tract and the northwest corner of said 1.298 acre tract, the southeast corner of said Hamilton Road and Rocky Knoll Drive Dedication, being the southwest corner of Reserve E as shown on the recorded plat of Crossings at Rocky Fork Section 2, as found in Plat Book 126 Page 79;

Thence S 95°10'27"W, along the east line of said 1.218 acre tract, along the west line of said 1.298 acre tract, a distance of 220.37' to the True Point of Beginning and containing 1.075 acres.

This annexation does not create an island of unincorporated areas within the limits of the area to be annexed.



Total perimeter of the annexation is 865.85 feet of which 427.72 is contiguous with the City of Columbus, resulting in 49% perimeter contiguity.

**SECTION 2.** That the City of Columbus will accept the territory described in Section 1 upon approval of the petition by the Board of Franklin County Commissioners.

**SECTION 3.** That the City Clerk is hereby authorized and directed to perform such acts as set forth in O.R.C. 709.06, or as otherwise required by law, in order to ensure the proper recording of the annexation, upon approval of the petition by the Board of Franklin County Commissioners.

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

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**Legislation Number:** 3314-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

## 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a contract with CDM Smith Inc. for professional engineering services for the Stormwater Remote Site Communication Network Upgrades project, C.I.P. Number 611661-100000, in an amount up to \$97,757.00; and the Sanitary Remote Site Communication Network Upgrades project, C.I.P. Number 650661-100000, in an amount up to \$320,881.00, for a total of \$418,638.00.

The City of Columbus, Department of Public Utilities (DPU), Division of Sewerage and Drainage (DOSD) has 95 sites that require monitoring and in some cases, control. DOSD utilizes a network system of radios and repeaters for communication and control of stormwater and sanitary sites. These systems also inform maintenance staff of any problems at these sites. Interrupted control or communication could potentially cause operational challenges which could contribute to Water-In-Basement (WIB) events or overflows to area streams and rivers. These sites include five stormwater remote sites and 23 sanitary remote sites. Some remote sites are large enough to have PLC-based monitoring and control which includes biofilters, stream gauges, gate structures, and floodwall structures. Smaller remote sites such as flow meters and level sensors utilize battery powered sensors, solar power, or above grade antennas.

The existing radio hardware at many of DOSD's stormwater and sanitary sites is approaching the end of their useful life or have become obsolete and replacement parts are no longer available. Many of these sites also have a need for electrical improvements, PLC upgrades, component lifecycle replacement, and radio quality improvements.

The purpose of these projects is to evaluate and plan the needed upgrades for the DOSD radio network systems; to evaluate, identify, and address the necessary communication needs specific to DOSD's remote sites; and ensure that each of the remote sites continue to be an integral part of DOSD's stormwater and sanitary collection systems.

Planning Area: 99 - Citywide.

**TIMELINE & FUTURE RENEWAL(S):**

CDM Smith will begin work after the Notice to Proceed (NTP) is given upon execution of their Professional Engineering Services Agreement. NTP is anticipated to be in early 2024. The engineering agreement will provide Step 1, Preliminary Design Services. The completion of Preliminary Design and approval of a Preliminary Design Report (PDR) is currently scheduled for the second quarter of 2025. A modification request for Detailed Design is currently scheduled for the first quarter of 2025 so that the modification can be finalized and Detailed Design can begin upon completion of Preliminary Design. Detailed Design will continue until advertisement for bids, then bidding services will commence. It is anticipated that plans and specs will be finalized and ready for advertisement by the second quarter of 2026, bids will be received in the second quarter of 2026, and Notice to Proceed of the construction contract will be in the third quarter of 2026. The anticipated end of the construction contract is the first quarter of 2028. The Professional Engineering Services contract will continue beyond completion of construction to provide record drawings of the constructed facilities and to provide assistance during the warranty period. The term of the engineering agreement is estimated to be five years or when the contract tasks are completed to the satisfaction of the City.

**ESTIMATED COST OF PROJECT:**

The amount of the original engineering agreement for Preliminary Design will be as follows:

CIP 611661-100000, Stormwater Remote Site Communication Network Upgrades:	\$97,757.00
CIP 650661-100000, Sanitary Remote Site Communication Network Upgrades:	
<u>\$320,881.00</u>	
P R E L I M I N A R Y                      D E S I G N                      T O T A L :	
\$418,638.00	

Two additional contract modifications are anticipated at this time; one for Detailed Design and one for Engineering Services During Construction.

Cost Summary for CIP 611661-100000

	Original Engineering Agreement (for Preliminary Design)
\$97,757.00	
	Proposed Modification No. 1 (for Detailed Design and Bidding Services)
\$130,000.00	
	Proposed Modification No. 2 (for Engineering Services during Construction)
<u>\$152,000.00</u>	
	CONTRACT TOTAL
\$379,757.00	

Cost Summary for CIP 650661-100000

	Original Engineering Agreement (for Preliminary Design)
\$320,881.00	
	Proposed Modification No. 1 (for Detailed Design and Bidding Services)
\$420,000.00	
	Proposed Modification No. 2 (for Engineering Services during Construction)
<u>\$490,000.00</u>	

	<b>CONTRACT TOTAL</b>
\$1,230,881.00	
Combined Cost Summary for CIPs 611661-100000 and 650661-100000	
	Original Engineering Agreement (for Preliminary Design)
\$418,638.00	
	Proposed Modification No. 1 (for Detailed Design and Bidding Services)
\$550,000.00	
	Proposed Modification No. 2 (for Engineering Services during Construction)
<u>\$642,000.00</u>	
	<b>CONTRACT TOTAL</b>
\$1,610,638.00	

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The performance of these projects’ activities to provide specialized professional engineering services to evaluate, identify, and address the necessary communication needs at DOSD’s 95 sites is needed to ensure that each of the sites continue to be an integral part of DOSD’s stormwater and sanitary collection systems. If left unperformed, interrupted control or communication could potentially cause operational challenges which could contribute to Water-In-Basement (WIB) events or overflows to area streams and rivers.

No community outreach is considered for this project.

**3. BID INFORMATION**

A Request for Proposals (RFP) was published on Bonfire and Vendor Services on June 30, 2023 through July 28, 2023. One proposal was received.

<u>Name</u>	<u>Status</u>	<u>C.C. No./Exp. Date</u>
<u>City/State</u>		
CDM Smith	CC000180 / 10/7/24	Columbus, Ohio MAJ

**4. CONTRACT COMPLIANCE INFORMATION**

CDM Smith Inc.’s contract compliance number is CC000180 and expires 10/7/24. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against CDM Smith Inc. CDM Smith Inc. is a Foreign Corporation registered with the Secretary of the State of Ohio.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15.0% as assigned by the City’s Office of Diversity and Inclusion (ODI). After review of the Utilization Plan and other related information the proposer submitted with their response, a goal of 15% has been established for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and bid documents for this contract.

As part of their proposal, CDM Smith has proposed the following subconsultants to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Brown and Caldwell	Columbus, Ohio	MAJ
CAD Concepts dba CCI	Columbus, Ohio	WBE
Advanced Engineering Consultants	Columbus, Ohio	MBE

The certification of CDM Smith and the above listed companies were in good standing at the time the contract was awarded.

**6. FISCAL IMPACT**

Funds for this expenditure are available and appropriated within the Storm Bond Fund, Fund 6204 and within the Sanitary Bond Fund, Fund 6109. An amendment to the 2023 Capital Improvements Budget is necessary to align budget authority with the proper project. A transfer of funds and appropriation between projects within the Stormwater Bond Fund, Fund 6204, and between projects within the Sanitary Bond Fund, Fund 6109, will be necessary to align cash and appropriation with the proper projects.

To authorize the Director of Public Utilities to enter into a contract with CDM Smith Inc. for the Stormwater and Sanitary Remote Site Communication Network Upgrades projects; to authorize an amendment to the 2023 Capital Improvements Budget; to authorize a transfer of cash and appropriation within the Stormwater Bond Fund and within the Sanitary Bond Fund; and to authorize the expenditure of up to \$97,757.00 from the Stormwater Bond Fund and the expenditure of up to \$320,881.00 from the Sanitary Bond Fund to pay for the project. (\$418,638.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Stormwater Remote Site Communication Network Upgrades project, C.I.P. Number 611661-100000, and the Sanitary Remote Site Communication Network Upgrades project, C.I.P. Number 650661-100000; and

**WHEREAS**, a Request for Proposals was issued seeking a professional engineering services company to design the project; and

**WHEREAS**, the proposal from CDM Smith Inc. was recommended by the evaluation committee for contract award; and

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to enter into a contract for professional engineering services with CDM Smith Inc. for the Stormwater and Sanitary Remote Site Communication Network Upgrades project; and

**WHEREAS**, an amendment to the 2023 Capital Improvements Budget is needed for purposes of providing sufficient budget authority for the aforementioned project expenditure; and

**WHEREAS**, a transfer of cash and appropriation between projects within the Stormwater Bond Fund, Fund 6204, and within the Sanitary Bond Fund, Fund 6109, is needed to align cash and appropriation with the proper projects; and

**WHEREAS**, it is necessary to authorize an expenditure of funds from the Stormwater Bond Fund, Fund 6204, and the Sanitary Bond Fund, Fund 6109, to pay for the contract; **now, therefore,**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1171-2023 be amended as follows to establish sufficient authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change**

6204 / 611709-100000 / Floodwall Closure Evaluations (Voted Storm Carryover) / \$1,639,084.00 / \$1,586,327.00 / (\$52,757.00)

6204 / 611661-100000 / Stormwater Remote Site Communication Network Upgrades (Voted Storm Carryover) / \$45,000.00 / \$97,757.00 / \$52,757.00

6109 / 650260-103015 / SWWTP CFS Bridge and RSP Cooling Upgrade (Voted Sanitary Carryover) / \$433,000.00 / \$262,119.00 / (\$170,881.00)

6109 / 650661-100000 / Sanitary Remote Site Communication Network Upgrades (Voted Sanitary Carryover) / \$150,000.00 / \$320,881.00 / \$170,881.00

**SECTION 2.** That the transfer of \$52,757.00 or so much thereof as may be needed, is hereby authorized between projects within the Stormwater Bond Fund, Fund 6204, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$170,881.00 or so much thereof as may be needed, is hereby authorized between projects within the Water Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Utilities be and hereby is authorized to enter into a contract for the Stormwater Remote Site Communication Network Upgrades project, C.I.P. Number 611661-100000, and the Sanitary Remote Site Communication Network Upgrades project, C.I.P. Number 650661-100000, for a total amount of up to \$418,638.00, with CDM Smith Inc., 445 Hutchinson Avenue, Suite 820, Columbus, Ohio, 43235, in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

**SECTION 5.** That the expenditure of \$418,638.00, or so much thereof as may be needed, is hereby authorized within the Sanitary Bond Fund, Fund 6109, and the Storm Bond Fund, Fund 6204, per the account codes in the attachment to this ordinance.

**SECTION 6.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

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

**SECTION 8.** That the City Auditor is hereby authorized 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3315-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:** This Ordinance authorizes the Director of the Department of Finance and Management to negotiate with multiple certified energy suppliers in the State of Ohio for deregulated electric supply of all City-owned facilities on the AEP Ohio distribution system. The current electric supply contract expires in May 2024. The authority of the Finance Director to negotiate such contracts shall extend only to the next contract period. Further negotiating authority for any future contracts beyond that granted by this ordinance will require additional authorization from City Council. Due to the fluid nature of electricity costs, it is in the City’s best interest to routinely shop for more cost effective energy prices. Pursuant to Ordinance No. 3509-2022, the City established a Universal Term Contract (UTC) with New River Group dba Scioto Energy Co. for services related to assisting with the procurement of electrical energy supply prices/costs. This Ordinance seeks authority to engage Scioto Energy, via the aforementioned UTC, to assist with the procurement and negotiation of electrical energy prices that are more beneficial and cost effective than existing rates being paid by the City.

The cost benefits of procuring power through competitive supply are twofold: 1) it allows the City to schedule procurement during periods of low energy prices, and 2) there is normally high demand among competitive suppliers who bid on the City's energy utilization, which ensures that the City receives the most competitive prices. In addition to lower energy costs, procuring power through competitive supply also provides an opportunity to increase the percentage of “green” power the City utilizes. This is accomplished through the inclusion of Renewable Energy Credits (REC’s). These REC’s are priced separately from base energy prices and fluctuate with market movements as well. Scioto Energy will assist the City with the potential procurement of green power by soliciting green pricing proposals from energy suppliers. The purchase of REC’s furthers the City’s goal of carbon reduction in accordance with the Climate Action Plan.

It is in the City's best interest to take advantage of favorable energy market conditions when they arise. The current power market environment warrants authorizing the Director to negotiate contract terms with more than one potential supplier. The Department, through its energy advisor Scioto Energy, will request proposals and negotiate terms and conditions with multiple energy suppliers to select the best purchase power contract for the City. The proposals will solicit pricing options up to 18-months. The Department will also seek a “green power” component to the pricing to support the City’s sustainability objectives. Due to the future start date of the potential power contracts, the City is not obligated to enter into contracts or purchase power if proposals do not meet the budgetary goals or serve the best interest of the City and its customers. Once complete, a report will be shared with City Council on the contract terms as well as an analysis of the alternative supplier terms considered for green, brown, and/or blended options.

The Ordinance also seeks a waiver of provisions of the Columbus City Codes, Chapter 329 relating to award of contracts through the Request for Proposal (RFP) process. The bid waiver is required due to the need to enter a retail supply agreement on the same day the pricing is secured. Energy pricing is volatile and can fluctuate rapidly. As such, it is necessary to authorize the Director to enter into contract immediately before energy supply pricing changes. It should be noted that Scioto Energy will conduct a competitive process, whereby multiple competitive bids from reputable suppliers able to meet the unique needs of the City of Columbus will be solicited.

**Bid Waiver Request:** While a competitive process to solicit energy supply rates will be utilized, this process will be managed through the City's UTC energy consultant, Scioto Energy, rather than the Purchasing Office. Therefore, a waiver of the competitive bidding provisions of Columbus City Code, Chapter 329 is being requested.

**Waiver of Future Legislation Request:** A waiver of future legislation is being requested to allow the Director to negotiate with multiple suppliers who submit responsive proposals to obtain the most favorable terms, conditions and pricing for the City of Columbus. This is due to the fluid nature of commodity and energy prices which can fluctuate daily.

**Fiscal Impact:** There is an expenditure of \$1.00 associated with this ordinance to grant the Director the authority to enter into a contractual agreement for the purpose of locking down a firm fixed price for the supply of power.

**Emergency action** is requested so that energy supply market rates can be assessed as quickly as possible.

To authorize the Director of the Department of Finance and Management to negotiate and enter into contracts for energy supply; to waive the competitive bidding provisions of the Columbus City Codes; to authorize the expenditure of \$1.00 from the General Fund; and to declare an emergency. (\$1.00)

**WHEREAS,** it is necessary for the Department of Finance and Management to negotiate with multiple certified energy suppliers in the State of Ohio for deregulated electric supply of all City-owned facilities on the AEP Ohio distribution system; and

**WHEREAS,** a competitive process to solicit energy supply rates will be utilized via the City's UTC energy consultant, Scioto Energy, rather than the Purchasing Office, therefore requiring a waiver of the competitive bidding provisions of Columbus City Code, Chapter 329; and

**WHEREAS,** due to current conditions within the market, it is in the best interest of the City to authorize the Director of Finance and Management to negotiate contract terms with the power suppliers deemed to provide the best overall terms and pricing;

**WHEREAS,** the proposals will solicit pricing options up to 18-months; and

**WHEREAS,** the Department will also seek a "green power" component to the pricing to support the City's sustainability objectives; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to negotiate and enter into contracts for energy supply in order to lock in pricing and to capture potential savings for the City and its taxpayers for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Finance and Management is hereby authorized to negotiate and to enter into contracts for the supply of power, with a potential green power option, for multiple City Departments in the amount of one dollar (\$1.00) for the next energy supply contract term only.

**SECTION 2.** That this Council finds the best interest of the City and its customers is served by waiving, and does hereby waive, the relevant Sections of Chapter 329 of Columbus City Codes concerning awarding contracts through the request for proposal process.

**SECTION 3.** That this Ordinance does not require the Director of the Department of Finance and Management to execute a contract if the competitive process does not produce pricing and terms and conditions that serve in the best interest of the City.

**SECTION 4.** That the expenditure of \$1.00, or so much thereof as may be needed, is hereby authorized from the General Fund per the accounting codes in the attachment to 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 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 reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3319-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** The Land Redevelopment Division seeks to establish not-for-profit service contracts to evaluate property held in the Land Reutilization Program for future redevelopment. The service contracts will help determine the viability of land bank property for various projects and allow this determination to occur as



early in the development process as possible. Predevelopment activities will include architectural and engineering services, environmental assessments, legal and title work, surveys, site infrastructure review, appraisals, and similar services. These determinations will allow both the City and non-profit entity to better assess projects prior to sale and future funding agreements. Initial contracts will be established with the Neighborhood Design Center, Rickenbacker Woods Foundation, and the Central Ohio Community Land Trust Corporation (COCLTC). Additional contracts will be awarded under Columbus City Codes Section 329.29 with other not-for-profit partners on an as-needed basis.

Per Section 329.30(b)(2) of the Columbus City Codes, the not-for-profit service contract with COCLTC is being awarded because the City does not currently have the staff or expertise to perform the due diligence work contemplated by the contract.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$400,000.00 in the Neighborhood Economic Development fund (2237).

**EMERGENCY JUSTIFICATION:** Emergency Legislation is requested to expedite certain contracts before the end of 2023 to complete due diligence activities and allow project to start early in 2024.

To authorize the Director of the Department of Development to enter into not-for-profit service contracts with various non-profit entities to perform due diligence and predevelopment services on parcels held in the Land Reutilization program; to authorize the Director of the Department of Development to enter into a not-for-profit service contract with the Central Ohio Community Land Trust Corporation; to authorize the appropriation and expenditure of \$400,000.00 from the Neighborhood Economic Development Fund; and to declare an emergency. (\$400,000.00)

**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**, the City works with many non-profit entities to redevelop land acquired under the land reutilization program and other acquisitions; and

**WHEREAS**, the City desires to establish multiple contracts with non-profit entities to determine if land is suitable for redevelopment and to mitigate costs associated with pre-development assessments prior to seeking funding for the redevelopment; and

**WHEREAS**, all contracts will be established under Columbus City Code Chapter 329.29, except for one contract with the Central Ohio Community Land Trust Corporation to perform due diligence on multiple land bank lots, which will be established under Columbus City Code Chapter 329.30; and

**WHEREAS**, funds are currently available in the Development Taxable Bonds Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Division, in that it is immediately necessary to authorize the Director to enter into contracts for due diligence work so that the projects can proceed without delay, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to enter into not-for-profit service contracts for predevelopment services, including architectural and engineering services, environmental assessments, legal and title work, surveys, site infrastructure review, appraisals, and similar services necessary to evaluate the redevelopment potential of properties held in the Land Reutilization Program and other properties managed by the Land Redevelopment Division. Contracts will be established with various non-profit entities for less than \$50,000.00 each, under Columbus City Code Chapter 329.29.

**SECTION 2.** That the Director of the Department of Development is hereby authorized to enter into a not-for-profit service contract with the Central Ohio Community Land Trust Corporation for \$200,000.00, per Columbus City Code Chapter 329.30, for predevelopment services, including architectural and engineering services, environmental assessments, legal and title work, surveys, site infrastructure review, appraisals, and similar services necessary to evaluate the redevelopment potential of properties held in the Land Reutilization Program and other properties managed by the Land Redevelopment Division.

**SECTION 3.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$400,000.00 is appropriated in Fund 2237 (Neighborhood Economic Development Fund), Dept-Div 44-01 (Administration), in object class 03 (Services) per the account codes in the attachment to this ordinance.

**SECTION 4.** That for the purpose as stated in Section 1, the expenditure of \$400,000.00 or so much thereof as may be needed is hereby authorized in Fund 2237 (Neighborhood Economic Development Fund), Dept-Div 44-01 (Administration), in object class 03 (Services) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance 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 any contract or contract modification 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 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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3321-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify the contract with Mann Roofing & Construction LLC to extend the term of the agreement from December 31, 2023 until December 31, 2024, to continue to provide roof replacement services for the health and safety of City of Columbus homeowners;

Original \$ 175,000.00 Ord Number 1492-2023 PO394016  
Mod 1 \$           .00  
Contract Total \$ 175,000.00

Mann Roofing & Construction LLC provides roof replacement services for the Division of Housing’s Roof Replacement Program. The program was established to assist low and moderate income homeowners with the replacement of roof and roof elements that constitute a critical condition, and when such conditions are not corrected, could cause the homeowner to vacate their home

An Invitation to Bid was posted for these services, and the lowest and most responsible bid was accepted and the contract was awarded to Mann Roofing & Construction LLC as part of the procurement process. The contract was originally created for services through December 31, 2023, but the remaining funds are being asked to be modified and carried forward thru the requested modification date of December 31, 2024 per Columbus City Code Chapter 329.09.

Mann Roofing & Construction LLC is doing a great job providing these services, and to avoid the need for uninterrupted services, it is in the best interest to use this vendor with funding that is currently established on PO394016 there are no additional funds being requested as part of this ordinance.

The department advertised RFQ024413 through Vendor Services and accepted bids through Bonfire, requesting contractors to provide roof replacement services. The effort was advertised from March 20, 2023, to April 11, 2023. The department notified 205 registered vendors, seven bids were received, and two were deemed non-responsive.

The Director of Development entered into contract with the three lowest, responsive, responsible, and best bidders as multiple contractors are needed for this program. Mann Roofing & Construction LLC was one of the selected contractors.

**FISCAL IMPACT:** No additional funding is necessary.

**CONTRACT COMPLIANCE:** the vendor number is 032158 and expires 3/28/2024.

To authorize the Director of the Department of Development to modify the contract with Mann Roofing & Construction Roofing LLC to extend the term of the agreement from December 31,2023 until December 31, 2024. (\$0.00)

**WHEREAS**, the Director of the Department of Development executed an agreement with Mann Roofing & Construction LLC for roof replacement services; and

**WHEREAS**, the agreement term needs to be extended in order to expend all of the appropriated funds;  
**NOW THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify the contract with Mann Roofing & Construction LLC (PO394016) to extend the contract term to December 31, 2024, in order to expend all appropriated funds.

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

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**Legislation Number:** 3322-2023

**Drafting Date:** 11/16/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify the contract with Revere Roofing Company Inc. to extend the term of the agreement from December 31, 2023 until December 31, 2024, to continue to provide roof replacement services for the health and safety of City of Columbus homeowners;

Original	\$ 150,000.00	Ord Number 1494-2023	PO393295
Mod 1	\$ _____ .00		
Contract Total	\$ 150,000.00		

Revere Roofing Company, Inc. provides roof replacement services for the Division of Housing’s Roof Replacement Program. The program was established to assist low and moderate income homeowners with the replacement of roof and roof elements that constitute a critical condition, and when such conditions are not corrected, could cause the homeowner to vacate their home.

An Invitation to Bid was posted for these services, and the lowest and most responsible bid was accepted and the contract was awarded to Revere Roofing Inc. The contract was originally created for services through December 31, 2023, but the remaining funds are being asked to be modified and carried forward thru the requested modification date of December 31, 2024 per Columbus City Code Chapter 329.09.

Revere Roofing Company Inc. is doing a great job providing these services, and to avoid the need for uninterrupted services, it is in the best interest to use this vendor with funding that is currently established on PO393295, there are no additional funds being requested as part of this ordinance.

The department advertised RFQ024413 through Vendor Services and accepted bids through Bonfire, requesting contractors to provide roof replacement services. The effort was advertised from March 20, 2023, to April 11, 2023. The department notified 205 registered vendors, seven bids were received, and two were deemed non-responsive.

The Director of Development entered into contract with the three lowest, responsive, responsible, and best bidders as multiple contractors are needed for this program. Revere Roofing Company Inc. was one of the selected contractors.

**FISCAL IMPACT:** No additional funding is necessary.

**CONTRACT COMPLIANCE:** the vendor number is 045478 and expires 5/23/2025.

To authorize the Director of the Department of Development to modify the contract with Revere Roofing Company, Inc. related to the Housing Division's Roof Replacement Program to extend the term of the agreement from December 31, 2023 until December 31, 2024. (\$0.00)

**WHEREAS**, the Director of the Department of Development executed an agreement with Revere Roofing Company, Inc. for roof replacement services for the Housing Division's Roof Replacement Program; and

**WHEREAS**, the Roof Replacement Program was established to assist low and moderate income homeowners with the replacement of roof and roof elements that constitute a critical condition, and when such conditions are not corrected, could cause the homeowner to vacate the homeowner's home; and

**WHEREAS**, the agreement term needs to be extended in order to expend all of the appropriated funds;

**NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify the contract with Revere Roofing Company, Inc. (PO393295) to extend the contract term to December 31, 2024, in order to expend all appropriated funds.

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

law.

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**Legislation Number:** 3330-2023

**Drafting Date:** 11/17/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a planned contract modification for professional engineering services with Hatch Associates Consultants Inc. for the Short Circuit Coordination and Arc Flash Studies #1 contract, CIP #650260-100008, in an amount up to \$350,000.00.

This project provides engineering services for short circuit, coordination, and arc flash studies. This work includes field collection of all device and component ratings, settings, sizes, lengths, etc.; development of a model; providing the coordination settings to reduce incident arc flash energy; and affixing arc flash hazard labels to all equipment as required by OSHA.

During this renewal period the project will provide continuing support in these areas for all capital projects at the wastewater treatment plants, compost, and the pump stations. This will include reviewing short circuit analysis from other firms and integrating these models into the overall plant models. The engineer will also provide services to recommend changes to electrical gear to improve short circuit coordination and arc flash behavior, including making setting changes on equipment.

Community Planning Area: 99 City Wide

#### 1.1 Amount of additional funds to be expended: \$350,000.00

Original Contract Amount:	\$1,000,000.00 (Ord. 2777-2018 PO152940)
Renewal #1:	\$425,000.00 (Ord. 2313-2020 PO257092)
Renewal #2:	\$350,000.00 (Ord. 1716-2022 PO342531)
<u>Modification #3:</u> _____	<u>\$350,000.00 (Current)</u>
Total (Orig. + Renewal/Modification):	\$2,125,000.00

#### 1.2. Reason other procurement processes are not used:

This work was originally planned and established as a multi-year effort funded by periodic renewals because it includes tasks which stretch across several funding years, and because the nature of the work requires the firm to develop a deep and detailed understanding of our plants and how we operate them. Bidding out this work would risk funding this substantial start-up effort again and would require the multi-year work to start again.

#### 1.3. How cost of modification was determined:

The cost of this modification was determined by negotiations between Hatch Associates and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project will provide a safer working environment for plant personnel by updating arc flash rating nameplates required by OSHA and will reduce nuisance tripping of electrical equipment.

**3. CONTRACT COMPLIANCE INFORMATION**

Hatch Associates Consultants Inc.'s contract compliance number is CC0025646 and expires 3/8/24.

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

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Hatch Associates Consultants Inc. is classified as a majority company by the City's Office of Diversity and Inclusion. Hatch Associates Consultants Inc. anticipates performing the work on this contract modification with the use of one sub-consultant. The MBE/WBE percentage for this modification is expected to be 17.14%.

As part of their proposal, Hatch Associates Consultants Inc. has proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CCI Engineering Services WBE		Columbus, Ohio

The certification of Hatch Associates Consultants Inc. and the above company was in good standing at the time of this contract modification.

**5. FISCAL IMPACT**

Funding for this expenditure is available in the Sanitary Bond Fund, Fund 6109. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. The funds are appropriated.

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the Short Circuit Coordination and Arc Flash Studies #1 project; to authorize an amendment to the 2023 Capital Improvement Budget; and to authorize an expenditure of up to \$350,000.00 from the Sanitary Bond Fund to pay for the contract modification. (\$350,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Short Circuit Coordination and Arc Flash Studies #1 Project; and

**WHEREAS**, Contract No. PO152940 was authorized by Ordinance No. 2777-2018, for the Short Circuit Coordination and Arc Flash Studies #1 Project; and

**WHEREAS**, a planned contract modification is needed for continued support and analysis; and

**WHEREAS**, it is necessary for Council to authorize the Director of Public Utilities to modify the professional engineering services agreement with Hatch Associates Consultants Inc. for the Short Circuit Coordination and Arc Flash Studies #1; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund to pay for the contract modification;  
**Now, Therefore,**

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

<u>Fund</u>	<u>/</u>	<u>Project Number</u>	<u>/</u>	<u>Project Name (Funding Source)</u>	<u>/</u>	<u>Current Authority</u>	<u>/</u>	<u>Revised Authority</u>	<u>/</u>	<u>Change</u>
6109	/	650260-102000	/	JPWWTP Small Capital Projects (Voted Sanitary Carryover)	/	\$425,245.00	/	\$425,245.00	/	(\$350,000.00)
6109	/	650260-100008	/	Short Circuit Coordination and Arc Flash Studies #1 (Voted Sanitary Carryover)	/	\$0.00	/	\$350,000.00	/	\$350,000.00

**SECTION 2.** That the Director of Public Utilities is hereby authorized to modify and increase the professional engineering services contract with Hatch Associates Consultants Inc., 88 E Broad Street Suite 1980, Columbus, Ohio 43215; for the Short Circuit Coordination and Arc Flash Studies #1 project, in an amount up to \$350,000.00.

**SECTION 3.** That an expenditure of \$350,000.00, or so much thereof as may be needed, is hereby authorized from the Sanitary Bond Fund, Fund 6109, to pay for this contract modification per the accounting codes in the attachment to this ordinance.

**SECTION 4.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 7.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.



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**Legislation Number:** 3334-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:** This legislation authorizes the Franklin County Municipal Court Clerk (hereinafter "Municipal Court Clerk") to modify the existing contract with ACI Payments, Inc. (formally known as Official Payments Corporation) for electronic payment services and extend the contract for one year for the continuity of the services.

Ordinance 2678-2020 authorized the Municipal Court Clerk to modify the contract with Official Payments Corporation to change the company name to ACI Payments, Inc.

The contract includes the following services: on-line electronic credit card payment, point of sale and electronic checks services (hereinafter "electronic payments services") for the Municipal Court Clerk's Office. The aforementioned electronic payment services defer the transaction costs to the user; thereby, decreasing the bank service fees for the Municipal Court Clerk operating budget.

**Bid Information:**

In 2009, a formal bidding process was solicited through SA003323. A total of four vendors submitted proposals. The proposals were reviewed by a committee and evaluated in accordance with the committee's criteria. Official Payments Corporation achieved the highest score. In agreement with the committee, the Municipal Court Clerk awarded the bid to Official Payments Corporations, Inc.

The on-line electronic credit card service has been ongoing since 2010 at \$0 cost per year to the Municipal Court Clerk operating budget.

**Contracts:**

- Original Contract Number: ED040373 - 1; \$0
- 1st Modification: Ordinance: 1528-2010; ED040373 - 2; \$0
- 2nd Modification: Ordinance: 1889-2011; ED045092; \$0
- 3rd Modification: Ordinance: 2244-2012; EL013669; \$0
- 4th Modification: Ordinance: 1797-2013; ED049622; \$0
- 5th Modification: Ordinance: 2114-2014; ED051606; \$0
- 6th Modification: Ordinance: 2717-2015; ED054297; \$0
- 7th Modification: Ordinance: 2539-2016; PO32745; \$0
- 8th Modification: Ordinance: 2357-2017; PO095246; \$0
- 9th Modification: Ordinance: 2905-2018; PO146542; \$0
- 10th Modification: Ordinance: 2806-2019; PO200683; \$0
- 11TH Modification: Ordinance: 2144-2020; PO247118; \$0
- 12th Modification: Ordinance: 2678-2020; PO247118; \$0
- 13th Modification: Ordinance: 2709-2021; PO304542; \$0
- 14th Modification: Ordinance: 3310-2022; PO364865; \$0
- 15th Modification: Ordinance: 3334-2023; \$0

**Contract Compliance Number:** 52-2190781

Expiration Date: 11/29/2025  
Vendor#: 009116

**Fiscal Impact:** No funds are required.

**Emergency:** There is an immediate need to modify and extend the existing contract with ACI Payments, Inc. for the continuity of electronic payment services for the Municipal Court Clerk's Office.

To authorize and direct the Municipal Court Clerk to modify and extend the contract with ACI Payments, Inc. for the provision of electronic payment services; and to declare an emergency. (\$0.00)

**WHEREAS,** the Municipal Court Clerk's Office has a need to modify and extend the existing contract with ACI Payments, Inc. for one year for electronic payment services; and

**WHEREAS,** an emergency exists in the usual daily operations of the Municipal Court Clerk's Office in that it is immediately necessary to authorize the Clerk to enter into such contract modification in order to maintain continuity of the electronic payment services, for the immediate preservation of the public peace, health, safety and welfare; now, therefore

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

**SECTION 1.** That the Municipal Court Clerk is authorized and directed to modify and extend the existing contract for one year with ACI Payments, Inc. for the provision of electronic payment services for the Municipal Court Clerk's Office.

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

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**Legislation Number:** 3335-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a planned contract modification for professional engineering services with Hatch Associates Consultants Inc. for the SWWTP Power System Upgrade and Safety Improvements contract, CIP #650357-100101, in an amount up to \$720,000.00.

The original contract was for preliminary design services relating to arc flash hazards and coordination issues with electrical equipment at the Southerly Wastewater Treatment Plant (SWWTP). That portion of the project evaluated electrical equipment that needs replaced or rehabilitated and provided recommendations for

replacement or rehabilitation.

This contract modification is the first of two planned modifications. This modification is for detailed design services to provide detailed design documents for the construction portion of the project. It will also include bidding assistance services. A future contract modification is planned to provide engineering services during construction.

Community Planning Area: 99-Citywide

**1.1 Amount of additional funds to be expended: \$720,000.00**

Original Contract Amount:		\$442,745.00 (Ord.
2938-2021 PO308106)		
<u>Modification #1:</u>		\$720,000.00 (Current)
<u>Future Modification #2:</u>		<u>\$540,000.00</u>
Total:		\$1,702,745.00

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

This contract was bid with the intention of one company completing the entire project. A modification is needed now because the initial funding established for the contract was just the amount needed to fund the preliminary contract work. The preliminary design services were completed by Hatch Associates Consultants, Inc. Hatch has intimate knowledge of the project scope and how the detailed design should proceed to address all the needs identified in the original contract. Re-bidding the contract for the next phase of services would create a 4-6 month delay in the project, and be more expensive, as a new company would have to spend time, and charge the City, to review and recertify all work Hatch has completed to date.

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

The cost of this modification was determined by negotiations between Hatch Associates Consultants, Inc., and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project will replace equipment that is past its useful life or that no longer meets the electrical loads required by the plant. Replacing this equipment will reduce the amount of maintenance required to keep the plant operational as well as reducing the number of electrical safety issues.

**3. CONTRACT COMPLIANCE INFORMATION**

Hatch Associates Consultants Inc.'s contract compliance number is CC0025646 and expires 3/8/24.

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

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Hatch Associates Consultants Inc. is classified as a majority company by the City's Office of Diversity and Inclusion. Hatch Associates Consultants Inc. anticipates

performing the work on this contract modification with the use of two sub-consultants. The MBE/WBE percentage for this modification is expected to be 40%.

As part of their proposal, Hatch Associates Consultants Inc. has proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
CCI Engineering Services WBE		Columbus, Ohio
Advanced Engineering Consultants MBE		Columbus, Ohio

The certification of Hatch Associates Consultants Inc. and the above companies was in good standing at the time of this contract modification.

**5. FISCAL IMPACT**

Funds are available for this expenditure within the Sanitary Bond Fund, Fund 6109. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. Cash and appropriation needs to be transferred between projects within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Hatch Associates Consultants Inc. for the SWWTP Power System Upgrade and Safety Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation within the Sanitary Bond Fund; and to authorize an expenditure of up to \$720,000.00 within the Sanitary Bond Fund to pay for the contract modification. (\$720,000.00)

**WHEREAS**, the Department of Public Utilities is engaged in the SWWTP Power System Upgrade and Safety Improvements Project; and

**WHEREAS**, Contract No. PO308106 was authorized by Ordinance No. 2938-2021, for the SWWTP Power System Upgrade and Safety Improvements; and

**WHEREAS**, a planned contract modification is needed for continued support and analysis; and

**WHEREAS**, it is necessary for Council to authorize the Director of Public Utilities to modify the professional engineering services agreement with Hatch Associates Consultants Inc. for the SWWTP Power System Upgrade and Safety Improvements Project; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund to pay for the contract modification;  
**NOW THEREFORE**,

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

<u>Fund</u>	<u>/</u>	<u>Project Number</u>	<u>/</u>	<u>Project Name (Funding Source)</u>	<u>/</u>	<u>Current Authority</u>	<u>/</u>	<u>Revised Authority</u>	<u>/</u>	<u>Change</u>
6019	/	650260-103000	/	SWWTP Small Capital Projects (Voted Sanitary Carryover)	/	\$841,916.00	/	\$249,050.00	/	(\$592,866.00)
6019	/	650357-100101	/	SWWTP Power System Upgrade and Safety Improvements (Voted Sanitary Carryover)	/	\$127,134.00	/	\$720,000.00	/	\$592,866.00

**SECTION 2.** That the transfer of \$592,866.32, or so much thereof as may be needed, is hereby authorized between projects between within the Sanitary Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to modify and increase the professional engineering services contract with Hatch Associates Consultants Inc., 88 E Broad Street Suite 1980, Columbus, Ohio 43215; for the SWWTP Power System Upgrade and Safety Improvements project, in an amount up to \$720,000.00.

**SECTION 4.** That an expenditure of \$720,000.00, or so much thereof as may be needed, is hereby authorized from the Sanitary Bond Fund, Fund 6109, to pay for this contract modification per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3339-2023

**Drafting Date:** 11/17/2023

**Current Status:** Passed

**BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into service contracts with Continental Office Furniture Corporation and The D J Bradley Company, Inc. for the purchase of used cubicles and furniture, the configuration and installation of the cubicles and furniture.

The intent of this project is to provide adequate office space accommodations for an expanding work force for the HR, Sustainability, Call Center and Security Sections within the Director’s Office and The Water Quality Assurance Lab (WQAL), Engineering and the Meter Shop within the Division of Water.

The Department is requesting a bid waiver to award two (2) service contracts in the amount of \$100,000.00 each.

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

**EMERGENCY DESIGNATION**

Emergency action is requested to expedite these contracts to complete the project in a timely manner, to provide adequate office space accommodations for current & new employees.

**SUPPLIER**

Continental Office Furniture Corporation, Vendor# 006118, CC# 31-4413238, Exp. 1/11/2024  
The D J Bradley Company, Inc., Vendor# 005066 , CC# 31-1325135, Exp. 7/19/2024

**FISCAL IMPACT**

\$200,000.00 is needed for this purchase and there is sufficient budget authority available in the 2023 Director's Office and the Division of Water Budgets.

\$0.00 was spent in 2022  
\$0.00 was spent in 2021

To authorize the Director of Public Utilities to enter into service contracts with Continental Office Furniture Corporation and The D J Bradley Company, Inc. used cubicles and furniture, the configuration and installation of the cubicles and furniture; to waive the formal bidding requirements of Columbus City Code; to authorize the expenditure of up to \$200,000.00 from the Department and the Division of Water Fund to pay for this contract; and to declare an emergency. (\$200,000.00)

**WHEREAS**, there is a need to enter into a service contracts for used cubicles and furniture, the configuration and installation of the cubicles and furniture; and

**WHEREAS**, it is necessary to waive the competitive bidding requirements of Columbus City Code and enter into a contract with Continental Office Furniture Corporation and The D J Bradley Company, Inc. for the provision of a service described above in the amount of up to \$200,000.00; and

**WHEREAS**, it is necessary to authorize an expenditure within The Department of Public Utilities and The Division of Water for this purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to enter into contract with Continental Office Furniture Corporation and The D J Bradley Company, Inc. in order for used cubicles and furniture and the configuration and installation of the cubicles to be as soon as possible, to provide adequate office space accommodations for current and new employees, 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 Public Utilities be, and hereby is, authorized to enter into service contracts with Continental Office Furniture Corporation and The D J Bradley Company, Inc., for used cubicles, the configuration and installation of the cubicles and furniture in an amount up to \$200,000.00.

**SECTION 2.** That this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding provisions of City Code Chapter 329 relating to formal competitive bidding requirements and hereby waives said section.

**SECTION 3.** That the expenditure of \$200,000.00, or so much thereof as may be needed, is hereby authorized in Dept-Div 6001 (Director’s office) and Dept-Div 6009 (Water), in Object Class 06 per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3345-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a professional services contract with Burgess & Niple, Inc. for the O’Shaughnessy Dam 9th FERC Independent Consultant Review project, CIP #690251-100002, in an amount up to \$301,400.00.

This project will complete an Independent Consultant (IC) Periodic Inspection of O’Shaughnessy Dam per federal dam safety regulatory requirements for hydropower facilities under 18 CFR Part 12D. The consultant

will also complete a Security Assessment of O’Shaughnessy Dam, a Determination of the Probable Maximum Flood (PMF) of the facility, and, if needed, additional analysis or design of risk reduction measures based on the results of the Part 12D Inspection. The project is anticipated to consist of three phases: 1) IC Periodic Inspection, 2) PMF Determination, and 3) Detailed Design of identified risk reduction measures (if necessary).

This work will be primarily be performed in Columbus Community Area 99 - Citywide.

**TIMELINE & FUTURE RENEWALS**

The duration of the initial contract for Phase 1 - IC Periodic Inspection is estimated to be 15 months. Phase 2 (future contact mod) - PMF Determination is expected to have a duration of 18 months. Phase 3 (if needed) - Detailed Analysis and Design and engineering services during construction (future contract mod) is expected to have a duration of 24 months. The estimated end date of the agreement is third quarter 2028.

**ESTIMATED COST OF PROJECT**

The initial contract amount is \$301,400.00. The anticipated spend during the term of the contract if both contract modifications are implemented is shown below.

**Cost summary:**

Original Contract	\$301,400.00
Future Modification #1	\$800,000.00 (estimated)
Future Modification #2	<u>\$100,000.00 (estimated)</u>
<b>CONTRACT TOTAL</b>	<b>\$1,201,400.00 (estimated)</b>

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The O’Shaughnessy dam impounds a water supply reservoir that supports the Dublin Road Water Plant. The dam also contains a hydropower station that provides environmentally friendly and sustainable power to the City’s Division of Power. As a hydropower capable facility, it falls under the jurisdiction of 18 CFR 12 - Safety of Hydropower facilities and is regulated by the Federal Energy Regulatory Commission (FERC). The Part 12D Independent Consultant Inspection is required for ongoing use and operation of the dam and power station. Additionally, an accurate and up to date PMF is necessary for future evaluations and analyses of the dam.

Public informational meetings are not anticipated for this project.

**3. PROCUREMENT**

The Department of Public Utilities advertised a Request for Proposals on the Vendor Services and Bonfire websites from August 17, 2023, through September 15, 2023, in order to solicit proposals for the O’Shaughnessy Dam 9th FERC Independent Consultant Review project with the intention of awarding a contract. Proposals were received from the following companies:

Burgess & Niple, Inc.	Columbus, OH	MAJ
Tetra Tech, Inc.	Columbus, OH	MAJ

All proposals were considered responsive and were evaluated by the evaluation committee. Burgess & Niple, Inc. is the company that was scored the highest by the evaluation committee and will be offered a contract if City Council approves.



As part of their proposal, Burgess & Niple, Inc. proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
HDR	Columbus	MAJ
NEAS	Columbus	MBE

The certifications of Burgess & Niple, Inc., and the above subcontractors were in good standing at the time the bid was awarded.

#### **4. CONTRACT COMPLIANCE INFORMATION**

Burgess & Niple, Inc.'s contract compliance number is CC004425 and expires 2/9/2024.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) did not reveal any exclusions for Burgess & Niple, Inc. or any sub-consultants.

#### **5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). ODI has approved an MBE/WBE Program goal of 15% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the terms and conditions that were part of the bid documents for this contract.

#### **6. FISCAL IMPACT**

Funds in the amount of \$301,400.00 are available and appropriated within the Water Bond Fund, Fund 6006. An amendment to the 2023 Capital Improvement Budget is necessary to align budget authority with the proper projects. A transfer of cash and appropriation within the Water Bond Fund is needed to align cash and appropriation with the proper projects.

#### **7. EMERGENCY DESIGNATION**

Emergency designation is requested to meet the Federal Energy Regulatory Commission (FERC) mandated deadline for regulatory compliance for the Independent Consultant (IC) Inspection Report. A series of interim milestones are required to be met. The first milestone is the submission of an Inspection Plan for FERCs review that is due in early March 2024. This Inspection Plan includes reviewing existing information and developing the plan by the consultant. In order for the consultant to have adequate time to meet the FERC deadlines, this contract needs to be started as soon as possible.

To authorize the Director of the Department of Public Utilities to enter into a professional services contract for O'Shaughnessy Dam 9th FERC Independent Consultant Review with Burgess & Niple, Inc.; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Water Bond Fund; to authorize an expenditure of up to \$301,400.00 from the Water Bond Fund for the contract; and to declare an emergency. (\$301,400.00)

**WHEREAS**, the Department of Public Utilities advertised a Request for Proposals for the O'Shaughnessy Dam 9th FERC Independent Consultant Review project; and

**WHEREAS**, Burgess & Niple, Inc. was the firm selected by the evaluation committee to provide these services; and

**WHEREAS**, the Director of the Department of Public Utilities will need to be authorized to enter into a contract with Burgess & Niple, Inc. for the O’Shaughnessy Dam 9th FERC Independent Consultant Review project; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation within the Water Bond Fund to align cash and appropriation with the proper project; and

**WHEREAS**, funds must be expended to pay for the engineering services that Burgess & Niple, Inc. will provide under the O’Shaughnessy Dam 9th FERC Independent Consultant Review contract; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to execute the contract in order to meet the Federal Energy Regulatory Commission (FERC) mandated deadline for regulatory compliance for the Independent Consultant Inspection Report, which consists of a series of interim milestones. The first milestone is the submission of an Inspection Plan for FERCs review that is due in early March 2024. This Inspection Plan includes reviewing existing information and developing the plan by the consultant. In order for the consultant to have adequate time to meet the FERC deadlines, this contract needs to be started as soon as possible, thereby preserving the public health, peace, property, safety, and welfare; **NOW, THEREFORE,**

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**

6006 / 690236-100104 / Edsel Avenue Area Water Line Improvements (Voted Water Carryover) / \$450,000.00 / \$248,600.00 / (\$201,400.00)

6006 / 690251-100002 / O’Shaughnessy Dam 9th FERC Independent Consultant Review (Voted Water Carryover) / \$100,000.00 / \$301,400.00 / \$201,400.00

**SECTION 2.** That the transfer of cash between projects within the Water Bond Fund, Fund 6006, is authorized per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a contract with Burgess & Niple, Inc., 330 Rush Alley, Suite 700, Columbus, OH 43215, for the O’Shaughnessy Dam 9th FERC Independent Consultant Review project, in an amount up to \$301,400.00 in accordance with the terms and conditions as shown in the contract on file with the Department of Public Utilities.

**SECTION 4.** That the expenditure of up to \$301,400.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out

the purposes of this ordinance 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 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.

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**Legislation Number:** 3346-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## **1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into construction contracts for the 2024 Water Main Repairs project, CIP #690521-100012, with the following companies:

- Travco Construction Inc., in an amount up to \$768,352.75.
- Eramo & Sons Inc., in an amount up to \$802,175.00

This ordinance also encumbers funds with the Department of Public Service for prevailing wage services in an amount of \$2,000.00 for each company, for a total of \$4,000.00 for the prevailing wage services.

This contract will provide the necessary labor and equipment to complete repairs to water mains at various locations within the Columbus Water Distribution System on an as needed basis.

This project was bid with the following language in the bid documents “The City reserves the right to award up to three contracts to the first, second, and third lowest, responsive and responsible bidders if it is in the best interest of the City to do so. If multiple contracts are awarded, the contracts will run concurrently and will be non-exclusive. The City may utilize any of the contracts at the discretion of the City.” Upon review of the bids submitted the City has decided to award the two lowest bidders a contract for the project work.

The Community Planning Area is 99 - Citywide.

**TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 730 days from the date that a Notice to Proceed (NTP) is given by the City.

**ESTIMATED COST OF PROJECT:** The bid amount and proposed award amount for Travco Construction is \$768,352.75, including a 10% construction contingency amount that will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract, if unforeseen difficulties are encountered.

The bid amount and proposed award amount for John Eramo & Sons Inc. is \$802,175.00, including a 10% construction contingency amount that will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract, if unforeseen difficulties are encountered.

Cost summary: Travco Construction

Original Contract	\$768,352.75
Future Anticipated Needs	\$ 0.00
CONTRACT TOTAL	\$768,352.75
Prevailing Wage Charge	<u>\$ 2,000.00</u>
	\$770,352.75

Cost summary: John Eramo & Sons Inc.

Original Contract	\$802,175.00
Future Anticipated Needs	\$ 0.00
CONTRACT TOTAL	\$802,175.00
Prevailing Wage Charge	<u>\$ 2,000.00</u>
	\$804,175.00

Total project expenditure: \$1,574,527.75

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

These contracts will provide assistance to our water line maintenance crews in completing water main break repairs in a timely matter should the number of breaks exceed our normal maintenance capacities.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bid Express websites from 10/2/2023 through 11/1/2023. Three bids were received:

<u>Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Status</u>
Travco Construction Inc.	\$768,352.75	Groveport, OH	MAJ
John Eramo & Sons Inc.	\$802,175.00	Hilliard, OH	MAJ
Conie Construction, Inc.	\$1,222,556.50	Columbus, OH	MAJ

The certification of Travco Construction Inc. and John Eramo and Sons Inc. was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

Travco Construction Inc.’s contract compliance number is CC009944 and expires 9/26/24. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Travco Construction Inc.

John Eramo & Sons Inc.’s contract compliance number is CC004251 and expires 10/31/25. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against

Travco Construction Inc.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 10% as assigned by the City’s Office of Diversity and Inclusion (ODI). After ODI’s review of documentation submitted by Travco Construction Inc. and John Eramo & Sons Inc. with their bid responses, including the Utilization Plan and the Request for MBE/WBE Waiver and Documentation of Good Faith Effort, ODI waived the MBE/WBE Program goal for the Travco Construction, Inc. contract, and accepted a reduced goal of 4.5% for the John Eramo & Sons Inc. contract.

As part of their proposal, Travco Construction Inc. proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Decker Construction Company	Columbus, Ohio	MAJ

The certification of Travco Construction Inc. the proposed subcontractor was in good standing at the time the bid was awarded.

As part of their proposal, John Eramo & Sons Inc. proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Decker Construction Company	Columbus, Ohio	MAJ
Newcomer Concrete	Norwalk, Ohio	MAJ
Donley Concrete and Sawing	Pickerington, Ohio	MAJ
Bridges Brothers Trucking	Columbus, Ohio	MBE

The certification of the above company was in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

Travco Construction Inc. and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

John Eramo & Sons Inc. and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

**7. FISCAL IMPACT**

Funding in the amount of \$1,574,527.75 is available and appropriated within the Water Bond Fund, Fund 6006. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. It is also necessary to transfer cash and appropriation between projects within the Water Bond Fund, Fund 6006, to align cash and appropriation with the proper project.

**8. EMERGENCY DESIGNATION**

Emergency designation is requested for this ordinance. A contract must be in place before cold weather arrives when most water main breaks occur, providing sufficient emergency repair capability to ensure breaks can be

repaired in a timely manner, minimizing the time the public is impacted by a water main break and is without water.

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Travco Construction Inc. and John Eramo & Sons Inc. for the 2024 Water Main Repairs project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Water Bond Fund; to authorize the expenditure of up to \$1,574,527.75 for the project; and to declare an emergency. (\$1,574,527.75)

**WHEREAS**, the Department of Public Utilities is engaged in the 2024 Water Main Repairs project; and

**WHEREAS**, three bids for the 2024 Water Main Repairs project was received and opened on 11/1/23; and

**WHEREAS**, the bid included a clause allowing up to three companies to be awarded a contract; and

**WHEREAS**, the Department of Public Utilities, Division of Water, recommended accepting the bids of the two lowest bidders, Travco Construction Inc. and John Eramo & Sons Inc and awarding contracts to them; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction services contract with Travco Construction Inc. and John Eramo & Sons Inc. for the 2024 Water Main Repairs project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, a transfer of cash and appropriation between projects within the Water bond fund, Fund 6006, is needed to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to expend funds to pay for this 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 to execute the contract before cold weather arrives when most water main breaks occur, providing sufficient emergency repair capability to ensure breaks can be repaired in a timely manner, minimizing the time the public impacted by a water main break is without water, 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 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

<u>Fund</u>	<u>/</u>	<u>Project Number</u>	<u>/</u>	<u>Project Name (Funding Source)</u>	<u>/</u>	<u>Current Authority/</u>	<u>Revised Authority</u>	<u>/</u>	<u>Change</u>	
6006	/	690236-100174	/	OSU Innovation District Water Extension (Voted Water Carryover)	/	\$500,740.00	/	\$500,740.00	/	\$0.00 / (\$500,740.00)
6006	/	690236-100130	/	Clearview Avenue Area WL Imps (fka #71) (Voted Water Carryover)	/	\$450,000.00	/	\$450,000.00	/	\$0.00 / (\$450,000.00)

6006 / 690236-100131 / Atlanta Drive Area WL Imps (fka #72) (Voted Water Carryover) / \$450,000.00 / \$0.00 / (\$450,000.00)

6006 / 690236-100000 / Water Main Rehabilitation (Voted Water Carryover) / \$183,792.00 / \$10,004.00 / (\$173,788.00)

6006 / 690521-100012 / 2024 Water Main Repairs / \$0.00 / \$1,574,528.00 (Voted Water Carryover) / \$1,574,528.00

**SECTION 2.** That the transfer of cash between projects within the Water Bond Fund, Fund 6006, is authorized per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a construction services contract for the 2024 Water Main Repairs project with Travco Construction Inc., 4097 Venture Pl, Groveport, OH 43125, in an amount up to \$768,352.75, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to obtain the necessary prevailing wage services from the Department of Public Service and to pay up to a maximum amount of \$2,000.00 for them.

**SECTION 4.** That the Director of Public Utilities is hereby authorized to enter into a construction services contract for the 2024 Water Main Repairs project with John Eramo & Sons Inc., 3670 Lacon Road, Hilliard, OH 43026, in an amount up to \$802,175.00, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to obtain the necessary prevailing wage services from the Department of Public Service and to pay up to a maximum amount of \$2,000.00 for them.

**SECTION 5.** That the expenditure of up to \$1,574,527.75, or so much thereof as may be needed, is hereby authorized from the Water Bond Fund, Fund 6006, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

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

**SECTION 8.** That the City Auditor is hereby authorized 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 9.** That 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.

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**Legislation Number:** 3347-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a construction contract with Danbert Electrical Corporation for the Noe-Bixby Road Street Lighting Improvements project, CIP #670895-100000, in an amount up to \$420,179.32, and to encumber funds with the Department of Public Service for prevailing wage services in an amount up to \$2,000.00, for a total expenditure of \$422,179.32.

This project will consist of the installation of LED Cobrahead street lights with a new 3-wire electrical system.

The Community Planning Area is 57 - Mid-East Community.

**TIMELINE:** Contract work is required to be completed in a manner acceptable to the City within 180 days from the date that a Notice to Proceed (NTP) is given by the City. Construction is estimated to be complete in September of 2024.

**ESTIMATED COST OF PROJECT:** The bid amount and proposed award amount is \$420,179.32 including a 10% construction contingency amount that will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time; however, construction exigency might later compel modification of this contract, if unforeseen difficulties are encountered.

Original Contract	\$420,179.32
<u>Future Anticipated Needs</u>	<u>\$0.00</u>
CONTRACT TOTAL	\$420,179.32
<u>Prevailing Wage Services</u>	<u>\$2,000.00</u>
TOTAL	\$422,179.32

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The installation and conversion to LED lighting within the project area would provide both an additional sense of safety and security to the residents. This may also deter criminal activity, which would lessen the financial impact on city resources such as the Police and Fire departments.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bid Express websites from 9/13/2023 through 11/1/2023. Five bids were received:

<u>Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Status</u>
Danbert Electric Corp:	\$420,179.32	Columbus, OH	MAJ
Asplundh Construction:	\$502,205.79	Columbus, OH	MAJ
The Ruhlin Company:	\$533,390.70	Sharon Center, OH	MAJ
Complete General Construction:	\$608,325.85	Columbus, OH	MAJ
U.S. Utility Contractor:	\$611,475.17	Columbus, OH	WBE

The Danbert Electrical Corporation’s bid was then evaluated and deemed the lowest, best, most responsive bid. Danbert Electrical Corporation’s certification was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

Danbert Electrical Corporation’s contract compliance number is CC023222 and expires 6/29/2024.



**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City’s MBE/WBE Program are not applicable to this contract. Danbert Electrical Corporation anticipates performing the work on this contract with the use of one City-certified subcontractor. The MBE/WBE percentage for this modification is expected to be 0.45%.

As part of their proposal, Danbert Electrical Corporation., proposed the following three subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Garcia Surveyors	Columbus, OH	MBE
Paul Peterson Co.	Columbus, OH	MAJ
Danbert, Inc.	Plain City, OH	MAJ

The certification of the above companies was in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

Danbert Electrical Corporation and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

**7. FISCAL IMPACT**

Funding in the amount of \$422,179.32 is available and appropriated within the Electricity Bond Fund, Fund 6303. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash and appropriation between projects within the Electricity Bond Fund is needed to align cash and appropriation with the proper project.

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Danbert Electrical Corporation for the Noe-Bixby Road Street Lighting Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Electricity Bond Fund; and to authorize the expenditure of up to \$422,179.32 for the project. (\$422,179.32)

**WHEREAS**, the Department of Public Utilities is engaged in the Noe-Bixby Road Street Lighting Improvements project; and

**WHEREAS**, five bids for the Noe-Bixby Road Street Lighting Improvements project were received and opened on 11/1/23; and

**WHEREAS**, the Danbert Electrical Corporation bid was deemed the lowest, best, most responsive bid; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction services contract with Danbert Electrical Corporation for the Noe-Bixby Road Street Lighting Improvements project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Electricity Bond Fund, Fund 6303, to align cash and appropriation with the proper project; and

**WHEREAS**, it is necessary to expend funds to pay for this project; **NOW THEREFORE**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change**

6303 / 670896-100000 / Refugee Road Street Lights (Voted Electricity Carryover) / \$544,313.00 / \$215,292.00 / (\$329,021.00)

6303 / 670895-100000 / Noe-Bixby Road Street Lighting Improvements (Voted Electricity Carryover) / \$222,750.00 / \$551,771.00 / \$329,021.00

**SECTION 2.** That the transfer of \$329,021.00, or so much thereof as may be needed, is hereby authorized within the Electricity Bond Fund, Fund 6303, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to enter into a construction services contract for the Noe-Bixby Road Street Lighting Improvements project with Danbert Electrical Corporation, 7991 Memorial Drive, Plain City, Ohio 43064, in an amount up to \$420,179.32, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities; and to pay the Department of Public Service an amount up to \$2,000.00 to provide prevailing wage services.

**SECTION 4.** That the expenditure of up to \$422,179.32, or so much thereof as may be needed, is hereby authorized from the Electricity Bond Fund, Fund 6303, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3348-2023

Drafting Date: 11/17/2023

Current Status: Passed

Version: 1

Matter Ordinance

Type:

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a planned contract modification for professional engineering services during construction with Korda/Nemeth Engineering, Inc. for the DPU Archive and Records Storage, CIP #650505-100000, in an amount up to \$360,232.52.

The Department of Public Utilities currently has multiple archive and storage areas throughout the City. This project will place them in a centralized location for ease of access and control. This project will also renovate the Sewer Maintenance Operation Center (SMOC) crew locker room fixtures and floorings, which are at or beyond their useful life.

This contract has completed detailed design services for the rehabilitation of the office area in the former Police Property Room, renovation of the warehouse area for document storage, and renovation of the SMOC crew locker rooms within the Fairwood Facility. The design also includes hazardous material abatement. This ordinance will provide for services during construction by the engineering design firm.

Community Planning Area: 63 South Side.

**1.1 Amount of additional funds to be expended: \$360,232.52**

Original Contract Amount: \$434,297.00 (Ord. 2444-2019; PO202895)

Modification #1: \$360,232.52 (Current)

Total: \$794,529.52

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

This contract was bid with a scope covering the entire design needs of the project, and with the intention of one company completing all phases of the project. Only one phase of the project is funded at a time, requiring a contract modification to add funding to complete future phases. There is not a need to bid out work that was already bid.

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

The cost of this modification was determined by negotiations between Korda/Nemeth Engineering, Inc., and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

This project will consolidate all of the DPU archives and records from all sections into a centralized location. This will help when trying to locate record and archive documents for City project managers as well as provide a centralized staff who are experts in locating and storing the documentation.

**3. CONTRACT COMPLIANCE INFO:**

Korda/Nemeth Engineering, Inc.'s contract compliance number is CC004467 and expires 2/22/25.

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

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Korda/Nemeth Engineering, Inc. is classified as a majority company by the City’s Office of Diversity and Inclusion (ODI). Korda/Nemeth Engineering, Inc. anticipates performing the work on this contract modification with the use of one sub-consultant that is also classified by ODI as a majority company. The MBE/WBE percentage for this modification is expected to be 0%.

As part of their proposal, Korda/Nemeth Engineering, Inc. has proposed the following subcontractor to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
ms consultants, inc. MAJ		Columbus, Ohio

The certification of Korda/Nemeth Engineering, Inc. and the above company was in good standing at the time the bid was awarded.

**5. FISCAL IMPACT**

Funding for this expenditure is budgeted, available, and appropriated within the Sanitary Bond Fund, Fund 6109.

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Korda/Nemeth Engineering, Inc. for the Department of Public Utilities Archive and Records Storage project; and to authorize an expenditure of up to \$360,232.52 within the Sanitary Bond Fund to pay for the contract modification. (\$360,232.52)

**WHEREAS**, the Department of Public Utilities is engaged in the DPU Archive and Records Storage Project; and

**WHEREAS**, Contract No. PO202895 was authorized by Ordinance No. 2444-2019, for the DPU Archive and Records Storage Project; and

**WHEREAS**, a planned contract modification is needed for engineering services during construction; and

**WHEREAS**, it is necessary for Council to authorize the Director of Public Utilities to modify the professional engineering services agreement with Korda/Nemeth Engineering, Inc. for the DPU Archive and Records Storage Project to add funds for these services; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund, Fund 6109, to pay for the contract modification; **NOW THEREFORE**,

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

**SECTION 1.** That an expenditure of \$360,232.52, or so much thereof as may be needed, is hereby authorized from the Sanitary Bond Fund, Fund 6109, to pay for this contract modification per the accounting codes in the

attachment to this ordinance.

**SECTION 2.** That the Director of Public Utilities is hereby authorized to modify and increase the professional engineering services contract with Korda/Nemeth Engineering, Inc., 1650 Watermark Drive Suite 200, Columbus, Ohio 43215; for the DPU Archive and Records Storage project, in an amount up to \$360,232.52.

**SECTION 3.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3350-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Council Variance Application: CV23-066**

**APPLICANT:** 1659 South Franklin, LLC; c/o Jon Stevenson, Atty.; 250 East Town Street, Suite 200; Columbus, OH 43215.

**PROPOSED USE:** Two single-unit dwellings on one lot.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one undeveloped parcel predominantly zoned in the R-3, Residential District, with a small portion of the parcel zoned in the I, Institutional District. A building permit has been approved for a new single-unit dwelling and a slab for a future rear detached two-car garage. The requested Council variance will allow construction of the garage with a single-unit dwelling above (a carriage house) A variance is required because the R-3, Residential District only allows one single-unit dwelling, and the I, Institutional District does not allow single-unit residential development. Variances for lot size, lot width, frontage, rear yard, and garage size are included in this request. The site is within the planning boundaries of the *Near East Area Plan* (2005), which does not contain a specific land use recommended for the site. The Plan does state that, in general, housing types and density should be consistent

with those found in the surrounding area. Staff believes the proposal is compatible with the development pattern along Franklin Park South, and does not introduce incompatible uses to the area. Staff also notes that there is no net gain in density as this site was approved for a two-unit dwelling under Ordinance #2834-95 (CV95-049), but that proposal did not come to fruition.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3349.03, Permitted uses; 3332.13, R-3 area district requirements; 3332.05(A)(4), Area district lot width requirements; 3332.19, Fronting; 3332.27, Rear yard; and 3332.38(F), Private garage, of the Columbus City Codes; for the property located at **1659 FRANKLIN PARK SOUTH (43205)**, to allow two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District and I, Institutional District, and to repeal Ordinance #2834-95 (CV95-049), passed December 18, 1995 (Council Variance #CV23-066).

**WHEREAS**, by application #CV23-066, the owner of property at **1659 FRANKLIN PARK SOUTH (43205)**, is requesting a Council variance to allow two single-unit dwellings on one lot with reduced development standards in the R-3, Residential District and I, Institutional District; and

**WHEREAS**, Section 3332.035, R-3 residential district, only allows one single-unit dwelling per lot, while the applicant proposes two single-unit dwellings on one lot; and

**WHEREAS**, Section 3349.03, Permitted uses, prohibits single-unit dwellings, while the applicant proposes a two single-unit dwellings on one lot; and

**WHEREAS**, Section 3332.13, R-3 area district requirements, requires that a single-unit dwelling or other principal building shall be situated on a lot of not less than 5,000 square feet in area, while the applicant proposes two single-unit dwellings on a lot that contains 5,955± square feet, or 2,977± square feet per dwelling, pursuant to the lot area calculation in Section 3332.18(C); and

**WHEREAS**, Section 3332.05(A)(4), Area district lot width requirements, requires a minimum lot width of 50 feet in the R-3, Residential District, while the applicant proposes to maintain a reduced lot width of 40 feet; and

**WHEREAS**, Section 3332.19, Fronting, requires a dwelling unit to front on a public street, while the applicant proposes that the carriage house dwelling front upon an alley; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area for each dwelling, while the applicant proposes no rear yard for the carriage house dwelling; and

**WHEREAS**, Section 3332.38(F), Private garage, requires no portion of the lot area devoted to a private garage or a carport to exceed the greater of 720 square feet, or one-third of the minimum net floor area for living quarters of the principal residence, while the applicant proposes increased garage space of 723 square feet for the new detached garage; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request is consistent with the land use recommendations and site design of the *Near East Area Plan*, and does not introduce an incompatible use to the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed rear dwelling; and

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

**WHEREAS**, the granting of said variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1659 FRANKLIN PARK SOUTH (43205)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That the variances from the provisions of Sections 3332.035, R-3 residential district; 3349.03, Permitted uses; 3332.13, R-3 area district requirements; 3332.05(A)(4), Area district lot width requirements; 3332.19, Fronting; 3332.27, Rear yard; and 3332.38(F), Private garage; of the Columbus City Codes; for the property located at **1659 FRANKLIN PARK SOUTH (43205)**, insofar as said sections prohibit two single-unit dwellings on one lot in the R-3, Residential District and I, Institutional District; with reduced lot area from 5,000 square feet to 2,977 square feet; reduced lot width from 50 feet to 40 feet; no frontage on a public street for the rear dwelling; no rear yard provided for the rear dwelling; and an increased private garage size from 720 square feet to 723 square feet; said property being more particularly described as follows:

**1659 FRANKLIN PARK SOUTH (43205)**, being 0.14± acres located on the south side of Franklin Park South, 275± west of Morrison Avenue, and being more particularly described as follows:

Situated in State of Ohio, County of Franklin and City of Columbus and more fully described as:

TRACT ONE:

Being Lot Number Sixteen (16) in Maynards' Fair Avenue Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 157, Recorder's Office, Franklin County, Ohio.

TRACT TWO:

Containing 0.0198 acre (861 square feet) of land, more or less, being part of a Fifteen (15) foot wide alley as the same is designated and delineated on the plat of Maynards' Fair Avenue Addition, of record in Plat Book 7, page 157, Recorder's Office, Franklin County, Ohio, said 0.0198 acre tract of land being more particularly described as follows:

Beginning, for reference, at a point in the Southerly line of Franklin Park South (60 feet in width) at the Northwesterly corner of Lot NO. 16, the Northwesterly corner of Lot No. 15, both being numbered and delineated on the plat of said Marnards' Fair Avenue Addition; thence South 4 degrees 10' 00'' West, with a Westerly line of said Lot No. 16, the Easterly line of said Lot No. 15, a distance of 91.67 feet to a ¾'' iron pin (found) in the Northerly line of said Fifteen (15) foot wide alley at a Southwesterly corner of said Lot No. 16,

the Southeasterly corner of said Lot No. 15, being the True Point of Beginning;

Thence, from said True Point of Beginning, South 86 degrees 17' 42'' East, with the Northerly line of said Fifteen (15) foot wide alley, a Southerly line of said Lot No.16, a distance of 15.00 feet to an iron pin (set) at a Northwesterly corner of said Fifteen (15) foot wide alley;

Thence South 4 degrees 10' 00'' West, with an Easterly line of said Fifteen (15) foot wide alley, a Westerly line of said Lot No.16, a distance of 57.50 feet to an iron pin (set) in a Northerly line of a Twenty (20) foot wide alley at a Southwesterly corner of said Lot No. 16;

Thence North 85 degrees 46' 40'' West, with the Northerly line of said Twenty (20) foot wide alley extended Westerly, crossing said Fifteen (15) foot wide alley, a distance of 15.00 feet to an iron pin (set) in the Westerly line of said Fifteen (15) wide alley;

Thence North 4 degrees 10' 00'' East, with the Westerly line of said Fifteen (15) foot wide alley, with the westernmost line of said Lot No. 16 extended Southerly, a distance of 57.37 feet to the True Point of Beginning and containing 0.0198 acre (861 square feet) of land, more or less.

All iron pins denoted as "set" are 5/8 (I.D.) x 30'' Iron pipe plugged with a plastic cap stamped "ELSCO S5519" and have been set by Erlenbach Land Surveying Company. All iron pins denoted as "found" have been set by others.

The basis of bearing is the Westerly line of said Lot No. 16, the Easterly line of Lot No. 15 of Maynards' Fair Avenue Addition, being North 4 degrees 10' 00'' East (assumed) and should be used to measure angles only.

The foregoing description was prepared from information obtained from existing deed, plat and survey information also an actual field survey of the premises in accordance with Chapter 4733-37, Ohio Administrative Code, by Erlenbach Land Surveying Co., Gary L. Erlenbach, R.S. #5519.

Parcel No.: 010-0546601

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for two single-unit dwellings on one lot, or those uses allowed in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan and building elevations titled, "**SITE PLAN**," dated November 15, 2023, and signed by Jon Stevenson, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed rear dwelling.

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



**SECTION 6.** That Ordinance #2834-95 (CV95-049), passed December 18, 1995, be and is hereby repealed.

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**Legislation Number:** 3357-2023

**Drafting Date:** 11/17/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance authorizes the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Equitas Health Inc., to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program PO363460 and PO385992 from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$355,723.99; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$355,723.99 utilizing the 2021 HOPWA entitlement grant from the U.S. Department of Housing and Urban Development; and to declare an emergency.

Original Agreement	\$ 300,000.00	Ord. 3254-2022	PO363460
Modification No. 1	\$ 583,633.20	Ord. 0947-2023	PO385992
Modification No. 2	<u>\$ 355,723.99</u>		
Total	\$1,239,357.19		

Historically the HOPWA grant has been managed and administrated by Columbus Public Health (CPH). Starting with the 2022 grant year funds, the HOPWA grant is being managed and administered by the Department of Development (DOD), Division of Housing.

The HOPWA program provides for the implementation of long term comprehensive strategies for meeting the housing needs of low income persons with HIV/AIDS and their families. Eligible services/activities include providing housing information services; resource identification; acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services; new construction of housing units; project or tenant based rental assistance; short term rent, mortgage and utility payments; supportive services; technical assistance and administrative support.

Equitas Health Inc., is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA.

This legislation represents a part of the remaining HOPWA portion of the 2021 Action Plan, the 2022 and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively.

Funds in the amount of \$355,723.99 remain to be expended on the 2021 HOPWA Grant, which requires the funds to be expended before August 31, 2024.

Emergency action is requested to prevent disruption in services by extending the term end date of the grant and to assure funding is expended within the period of performance. The additional funding within the 2021 HOPWA Grant has a period of performance ending August 31, 2024.

**Contract Compliance:** the vendor number is 004721 and expires 01/25/2024.

**Fiscal Impact:** \$355,723.99 is available from the 2021 HOPWA Grant (G502112).

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Equitas Health Inc., PO363460 and PO385992 from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$355,723.99; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$355,723.99 utilizing the 2021 Housing Opportunities for People with Aids (HOPWA) entitlement; and to declare an emergency. (\$355,723.99).

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**Legislation Number:** 3358-2023

**Drafting Date:** 11/17/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Faith Mission Inc., to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program (PO361487) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$80,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$80,000.00 utilizing the 2021 HOPWA entitlement grant from the U.S. Department of Housing and Urban Development; and to declare an emergency.

Original Agreement	\$690,000.00	Ord. 3266-2022	PO361487
Modification No. 2	<u>\$ 80,000.00</u>		
Total	\$770,000.00		

Historically the HOPWA grant has been managed and administrated by Columbus Public Health (CPH). Starting with the 2022 grant year funds, the HOPWA grant is being managed and administered by the Department of Development (DOD), Division of Housing.

The HOPWA program provides for the implementation of long term comprehensive strategies for meeting the housing needs of low income persons with HIV/AIDS and their families. Eligible services/activities include providing housing information services; resource identification; acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services; new construction of housing units; project or tenant based rental assistance; short term rent, mortgage and utility payments; supportive services; technical assistance and administrative support.

Faith Mission, Inc. is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA.

This legislation represents a part of the remaining HOPWA portion of the 2021 Action Plan, the 2022 and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively.

Funds in the amount of \$80,000.00 remain to be expended on the 2021 HOPWA Grant, which requires the funds to be expended before August 31, 2024.

Emergency action is requested to prevent disruption in services by extending the term end date of the contract and to assure funding is expended within the period of performance. The additional funding within the 2021 HOPWA Grant has a period of performance ending August 31, 2024.

**Contract Compliance:** the vendor number is 011758 and expires 04/10/2025

**Fiscal Impact:** \$80,000.00 is available from the 2021 HOPWA Grant (G502112).

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Faith Mission Inc. (PO361388) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$80,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased expenditure; to authorize the a expenditure of up to \$80,000.00 utilizing the 2021 Housing Opportunities for People with AIDS (HOPWA) entitlement; and to declare an emergency. (\$80,000.00)

**WHEREAS**, the City of Columbus is a participating jurisdiction of the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the City of Columbus is the recipient of the Housing Opportunities for People with AIDS (HOPWA) entitlement grant from the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the Columbus City Council has approved the 2021 Action Plan, 2022, and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively; and

**WHEREAS**, Faith Mission, Inc. is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA; and

**WHEREAS**, the term end date extension and additional funds are needed, in part, to be able to utilize funds from the 2021 grant entitlement from HUD to be encumbered on or before August 31, 2024; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that the contract modification needs to be executed by the Director at the earliest possible time to ensure continuity of services and the availability of funds in light of the period of performance ending August 31, 2024, all for the immediate preservation of the public peace, property, health, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify to extend the term end date of a Subaward Not-for-Profit Service Contract with Faith Mission, Inc. from December 31, 2023 to December 31, 2024.

**SECTION 2.** That the Director of the Department of Development is hereby authorized to modify the Subaward Not-for-Profit Service Contract with Faith Mission, Inc. to add additional funds in an amount up to \$80,000.00 that will be utilizing 2021 HOPWA grant funds, which requires the additional funds to be expended on or before August 31, 2024.

**SECTION 3.** That the expenditure of \$80,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2220 (General Government Grant Fund), from Dept-Div 44-10 (Housing), G502112 (2021 HOPWA), object class 03 (Services) per the account codes in the attachment to this ordinance.

**SECTION 4.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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.** 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 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.

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**Legislation Number:** 3359-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance authorizes the Director of the Department of Development to modify a Subaward Not-for Profit Service Contracts with Licking County Coalition for Housing, to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program (PO361479) and (PO399154) from December 31, 2023 to December 31, 2024; to modify the contracts to increase the funding in an amount up to \$27,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$27,000.00 utilizing the 2021 HOPWA entitlement grant from the U.S. Department of Housing and Urban Development; and to declare an emergency.

Original Agreement	\$350,000.00	Ord. 3270-2022	PO361479
Modification No. 1	3,886.12	Ord. 1487-2023	PO399154
Modification No. 2	<u>\$ 27,000.00</u>		
Total	\$380,886.12		

Historically the HOPWA grant has been managed and administrated by Columbus Public Health (CPH). Starting with the 2022 grant year funds, the HOPWA grant is being managed and administered by the Department of Development (DOD), Division of Housing.

The HOPWA program provides for the implementation of long term comprehensive strategies for meeting the housing needs of low income persons with HIV/AIDS and their families. Eligible services/activities include providing housing information services; resource identification; acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services; new construction of housing units; project or tenant based rental assistance; short term rent, mortgage and utility payments; supportive services; technical assistance and administrative support.

Licking County Coalition for Housing is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA.

This legislation represents a part of the remaining HOPWA portion of the 2021 Action Plan, the 2022 and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively.

Funds in the amount of \$27,000.00 remain to be expended on the 2021 HOPWA Grant, which requires the funds to be expended before August 31, 2024.

Emergency action is requested to prevent disruption in services by extending the term end date of the grant and to assure funding is expended within the period of performance. The additional funding within the 2021 HOPWA Grant has a period of performance ending August 31, 2024.

**Contract Compliance:** the vendor number is 030132 and expires 05/30/2025

**Fiscal Impact:** \$27,000.00 is available from the 2021 HOPWA Grant (G502112).

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contracts with Licking County Coalition for Housing, to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program (PO361479) and (PO399154) from December 31, 2023 to December 31, 2024; to modify the contracts to increase the funding in an amount up to \$27,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$27,000.00 utilizing the 2021 HOPWA entitlement grant from the U.S. Department of Housing and Urban Development; and to declare an emergency. (\$27,000.00).

**WHEREAS,** the City of Columbus is a participating jurisdiction of the U.S. Department of Housing and Urban Development; and

**WHEREAS,** the City of Columbus is the recipient of the Housing Opportunities for People with AIDS (HOPWA) entitlement grant from the U.S. Department of Housing and Urban Development; and

**WHEREAS,** the Columbus City Council has approved the 2021 Action Plan, 2022, and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively; and

**WHEREAS,** Licking County Coalition for Housing is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA; and

**WHEREAS**, the term end date extension and additional funds are needed, in part, to be able to utilize funds from the 2021 grant entitlement from HUD to be encumbered on or before August 31, 2024; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that the contract modification needs executed at the earliest possible time to ensure continuity of services and the availability of funds in light of the period of performance ending August 31, 2024, all for the immediate preservation of the public peace, property, health, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to modify to extend the term end date of a Subaward Not-for-Profit Service Contract with Licking County Coalition for Housing from December 31, 2023 to December 31, 2024.

**SECTION 2.** That the Director of the Department of Development is hereby authorized to modify the Subaward Not-for-Profit Service Contract with Licking County Coalition for Housing to add additional funds in an amount up to \$27,000.00 that will be utilizing 2021 HOPWA grant funds, which requires the additional funds to be expended on or before August 31, 2024.

**SECTION 3.** That the expenditure of \$27,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2220 (General Government Grant Fund), from Dept-Div 44-10 (Housing), G502112 (2021 HOPWA), object class 03 (Services) per the account codes in the attachment to this ordinance.

**SECTION 4.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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.** 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 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.

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**Legislation Number:** 3361-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance authorizes the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Community Action Program Commission of the Lancaster-Fairfield Community Area to provide community services related to the Housing Opportunities for People with AIDS (HOPWA) program (PO363459) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$22,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased contracted amount; to authorize the expenditure of up to \$22,000.00 utilizing the 2021 HOPWA entitlement grant from the U.S. Department of Housing and Urban Development; and to declare an emergency.

Original Agreement	\$325,000.00	Ord. 3251-2022	PO363459
Modification No. 1	<u>\$ 22,000.00</u>		
Total	\$347,000.00		

Historically the HOPWA grant has been managed and administrated by Columbus Public Health (CPH). Starting with the 2022 grant year funds, the HOPWA grant is being managed and administered by the Department of Development (DOD), Division of Housing.

The HOPWA program provides for the implementation of long term comprehensive strategies for meeting the housing needs of low income persons with HIV/AIDS and their families. Eligible services/activities include providing housing information services; resource identification; acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services; new construction of housing units; project or tenant based rental assistance; short term rent, mortgage and utility payments; supportive services; technical assistance and administrative support.

Community Action Program Commission of the Lancaster-Fairfield Community Area is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA.

This legislation represents a part of the remaining HOPWA portion of the 2021 Action Plan, the 2022 and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively.

Funds in the amount of \$22,000.00 remain to be expended on the 2021 HOPWA Grant, which requires the funds to be expended before August 31, 2024.

Emergency action is requested to prevent disruption in services by extending the term end date of the contract and to assure funding is expended within the period of performance. The additional funding within the 2021 HOPWA Grant has a period of performance ending August 31, 2024

**Contract Compliance:** the vendor number is 006174 and expires 06/30/2024

**Fiscal Impact:** \$22,000.00 is available from the 2021 HOPWA Grant (G502112).

To authorize the Director of the Department of Development to modify a Subaward Not-for Profit Service Contract with Community Action Program Commission of the Lancaster-Fairfield Community Area

(PO363459) from December 31, 2023 to December 31, 2024; to modify the contract to increase the funding in an amount up to \$22,000.00; to require the increased contracted amount to be expended by no later than August 31, 2024, which is the end date for performance of the grant associated with the increased expenditure; to authorize the a expenditure of up to \$22,000.00 utilizing the 2021 Housing Opportunities for People with AIDS (HOPWA) entitlement; and to declare an emergency. (\$22,000.00)

**WHEREAS**, the City of Columbus is a participating jurisdiction of the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the City of Columbus is the recipient of the Housing Opportunities for People with AIDS (HOPWA) entitlement grant from the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the Columbus City Council has approved the 2021 Action Plan, 2022, and 2023 Action Plans, per Ordinances 2345-2020, 2800-2021, and 3353-2022 respectively; and

**WHEREAS**, Community Action Program Commission of the Lancaster-Fairfield Community Area is a provider who specializes exclusively in assisting income eligible individuals/households living with HIV/AIDS in the eight county EMSA; and

**WHEREAS**, the term end date extension and additional funds are needed, in part, to be able to utilize funds from the 2021 grant entitlement from HUD to be encumbered on or before August 31, 2024; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to modify a Subaward Not-for-Profit Service Contract with Community Action Program commission of the Lancaster-Fairfield Community Area, the contract modification needs executed at the earliest possible time to ensure continuity of services and the availability of funds, all for the immediate preservation of the public peace, property, health, and safety; 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 modify to extend the term end date of a Subaward Not-for-Profit Service Contract with Community Action Program Commission of the Lancaster-Fairfield Community Area from December 31, 2023 to December 31, 2024.

**SECTION 2.** That the Director of the Department of Development is hereby authorized to modify the Subaward Not-for-Profit Service Contract with Lancaster-Fairfield County Area, Inc. to add additional funds in an amount up to \$22,000.00 that will be utilizing 2021 HOPWA grant funds, which requires the additional funds to be expended on or before August 31, 2024.

**SECTION 3.** That the expenditure of \$22,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2220 (General Government Grant Fund), from Dept-Div 44-10 (Housing), G502112 (2021 HOPWA), object class 03 (Services) per the account codes in the attachment to this ordinance.

**SECTION 4.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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.** 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 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.

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**Legislation Number:** 3362-2023

**Drafting Date:** 11/17/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of Finance and Management to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system in the amount of \$154,940.00 for the Division of Water. These test benches are to facilitate the certification of water meters used for billing purposes by the City's water distribution system.

**BID INFORMATION:** The Division of Water requests to waive the competitive bidding provisions of the Columbus City Code because no other company provides these services for the MARS product. The metering test bench system is used to determine the accuracy of new and used water meters that are used by the Department of Public Utilities.

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

**EMERGENCY DESIGNATION:** Emergency legislation is requested due to the critical nature of this contract and the need to establish a purchase order before year end.

**CONTRACT COMPLIANCE:** vendor #026512, expires 11/30/2025

**FISCAL IMPACT:** \$154,940.00 is budgeted and needed for this purchase.

\$0 was spent in 2022

\$0 was spent in 2021

To authorize the Finance and Management Director to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system on

behalf of the Division of Water; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$154,940.00 from the Water Operating Fund; and to declare an emergency. (\$154,940.00)

**WHEREAS**, the Division of Water has an urgent need to upgrade its existing MARS test bench system and to receive maintenance and support services for that system; and

**WHEREAS**, funds are available in the Water Operating Fund for this purchase; and

**WHEREAS**, it is in the best interest of the City to waive competitive bidding for this purchase because no other company provides the needed services for the MARS test bench product; 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 Finance and Management to enter into a contract with OW Investors LLC dba MARS Company for a Meter Test Bench Upgrade due to the critical nature of this contract and the need to establish a purchase order before the end of the year, 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 Finance and Management Director be and is hereby authorized to enter into contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS test bench system on behalf of the Division of Water.

**SECTION 2.** That the expenditure of \$154,940.00 or so much thereof as may be needed, be and the same is hereby authorized in the Water Operating Fund in object class 03 Services per the accounting codes in the attachment of this ordinance.

**SECTION 3.** That this Council finds it in the best interest of the City to waive the competitive bidding provisions of the Columbus City Codes to permit the aforementioned purchase contract.

**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 account codes as necessary.

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

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**Legislation Number:** 3363-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

“Sam” a police horse that has been in service with the Division of Police’s Mounted Unit for 4.5 years needs to be returned to his previous owner.

“Sam” had three incidents when he took off, unprovoked, at events with high energy atmospheres. It would be in the best interest of the Division to take “Sam” out of service and return him to his previous owner who donated the horse to the Division of Police.

It is recommended that “Sam” be returned to the original owner, Jessica Owens, who donated the horse to the Division of Police and who has the resources to properly care for “Sam”.

Additionally, the Division of Police Legal Bureau has developed a general release document that relinquishes the City of Columbus from any liability as it relates to the post retirement care and control of “Sam”, and assigns that liability to Jessica Owens.

**FISCAL IMPACT:**

There are no plans to replace this horse.

To authorize and direct the Finance and Management Director to return to Jessica Owens a police horse with the registered name of “Sam” which has no further value to the Division of Police, and to waive the provisions of City Code-Sale of City-owned personal property.

**WHEREAS**, “Sam” is a 4.5 year old Percheron police horse who has had three incidents where he took off in high energy events, and

**WHEREAS**, “Sam” behavioral issue consist of the inability to control energy level when exposed to stimuli; and

**WHEREAS**, it is in the best interest of the City to allow this horse to be returned to his previous owner, Jessica Owens, who donated the horse to the Division ; **NOW, THEREFORE**,

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

**Section 1.** That the Finance and Management Director is hereby authorized and directed to return the horse with the registered name of “Sam” to Jessica Owens, the original owner of the house.

**Section 2.** That the Council of the City of Columbus finds it is in the best interests of the City that City Code Section 329.34- Sale of City-owned personal property, be and is hereby waived to permit the return of this specific horse to Jessica Owens .

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

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**Legislation Number:** 3364-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Utilities to enter into a planned contract modification for professional services agreement with Ascension Construction Solutions, LLC for the WWTFs Professional Construction Management Services #3 project, CIP #650261-103000, in an amount up to \$17,952,267.00.

This planned modification provides construction administration and management services including, construction inspection, coordination, reporting, budgeting, scheduling, document tracking, and related tasks associated with a multi-project program. This modification adds scope and funding for the following construction contracts:

- 1) 650252-100010, JPWWTP Screening Improvements
- 2) 650353-100007, SWWTP Organics Receiving and Bioenergy Utilization
- 3) 650354-100000, SWWTP Post Aeration Diffuser Replacement
- 4) 650505-100001, SMOC Inventory Control Consolidations
- 5) 650660-100013, DOSD Sanitary Pump Stations SA13 Evaluation & Upgrade
- 6) Small Capital Projects Program, Project Series: 650261-100300, multiple contracts from ongoing program.
- 7) HVAC Program, Project Series: 650265-100200 multiple contracts from ongoing program.
- 8) Roofing Program, Project Series: 650234-100200 multiple contracts from ongoing program.
- 9) Additional construction contracts to be added by contract modification.

Projects are in Community Planning Area 99, as these benefit the entire City.

**1.1 Amount of additional funds to be expended: \$17,952,267.00**

**Original Contract Amount:** \$3,927,328.69 (Ord.2295-2022; PO367893; PO367899; PO367907; PO367915; PO367920; PO367923; PO367927)

**Modification #1** \$17,952,267.00 (Current)

**Modification #2** \$17,000,000.00 (Future estimated amount)

**Total:** \$38,879,595.69

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

This contract was bid as a three-year contract with the intention of assigning projects to the contract that started during this three-year window. This modification is not being processed for a change of scope but only to add funding. It is needed because funding for the projects administered under this contract is done on a yearly basis instead of all three years at once. This is the first of two planned contract modifications to add funding to fully fund the contract for the contract period.

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

The cost of this modification was determined by negotiations between Ascension Construction Solutions, LLC and Department of Public Utilities project staff based upon the existing contract labor titles, maximum labor rates, allowable contract expenses, and the time estimated to be needed to perform contract tasks.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

The performance of professional contract management services for the subject construction contracts will help to prevent or reduce the number of construction claims, provide quality control for construction, and minimize any unavoidable claims. No community outreach or environmental factors are considered for this project.

**3. CONTRACT COMPLIANCE INFORMATION**

Ascension Construction Solutions, LLC’s contract compliance number is CC0283827 and expires 8/17/24.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Ascension Construction Solutions, LLC.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was put in place prior to the implementation of the City of Columbus MBE/WBE Program and is not subject to the requirements of that program. Ascension Construction Solutions, LLC is classified as an MBE company by the City’s Office of Diversity and Inclusion. Ascension Construction Solutions, LLC anticipates performing the work on this contract modification with the use of five sub-consultants, four of which are classified as MBE by ODI. The MBE/WBE percentage for this contract modification is expected to be 62.25%.

As part of their proposal, Ascension Construction Solutions, Llc has proposed the following subconsultants to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Anser Advisory MAJ		Columbus, Ohio
Advanced Engineering Consultants MBE		Columbus, Ohio
DHDC MBE		Columbus, Ohio
Multivista MBE		Westerville, Ohio
American Services and Protection MBE		Columbus, Ohio

The certification of Ascension Construction Solutions, LLC and the above companies was in good standing at the time the bid was awarded.

**5. FISCAL IMPACT**

An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper projects. A transfer of cash and appropriation between projects within the Sanitary Bond Fund, Fund 6109, is needed to align cash and appropriation with the proper projects.

**6. EMERGENCY DESIGNATION**

Emergency designation is requested in order to prevent a lapse in construction management services. A lapse in construction management services will result in construction being halted on several projects, subjecting the City to delay charges.

To authorize the Director of the Department of Public Utilities to modify and increase the contract with Ascension Construction Solutions, LLC for the Department of Public Utilities Waste Water Treatment Facilities Professional Construction Management Services project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation between projects in the Sanitary Bond Fund; to authorize an expenditure of up to \$17,952,267.00 within the Sanitary Bond Fund to pay for the

contract modification; and to declare an emergency. (\$17,952,267.00)

**WHEREAS**, the Department of Public Utilities is engaged in the WWTFs Professional Construction Management Services #3 Project; and

**WHEREAS**, Contract No. PO367893; PO367899; PO367907; PO367915; PO367920; PO367923; PO367927 was authorized by Ordinance No. 2295-2022, for the WWTFs Professional Construction Management Services #3 Project; and

**WHEREAS**, the contract is a three-year contract with two planned modifications to add funds; and

**WHEREAS**, it is necessary for Council to authorize the Director of Public Utilities to modify the professional services agreement with Ascension Construction Solutions, LLC for the WWTFs Professional Construction Management Services #3 Project to add funds for the next year of the contract; and

**WHEREAS**, an amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper projects; and

**WHEREAS**, it is necessary to transfer cash and appropriation within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper projects; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund, Fund 6109 to pay for the contract modification; 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 to execute the contract modification to prevent a lapse in construction management services and the potential for compensatory delays on construction contracts, 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 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**

6109/ P650261-103000 / Small Cap Program & G&A for PCM Contract (Voted Sanitary Carryover) / \$1,610,920.00 / \$1,620,565 / \$9,645 (to match cash)

6109/ P650353-100007 / SWWTP Organics Receiving and Bioenergy (Voted Sanitary Carryover) / \$0.00 / \$1,584,537 / \$1,584,537 (to match cash)

6109/ P650234-100109 / SMOC Phase V Roof Replacement (Voted Sanitary Carryover) / \$2,826,000.00 / \$0.00 / (\$2,826,000.00)

6109/ P650886-100000 / Scioto Main Sanitary Pump Stations (Voted Sanitary Carryover) / \$2,650,000.00 / \$0.00 / (\$2,650,000.00)

6109/ P650505-100000 / DPU Archive Records Storage and SMOC Locker Room Renovations (Voted

Sanitary Carryover) / \$7,774,809.00 / \$6,884,838.00/ (\$889,971.00)

6109 / P650870-115153 / Blueprint Hilltop 4 - Highland / Harris (Voted Sanitary Carryover) / \$1,145,000.00 / \$110,059.00 / (\$1,034,941.00)

6109 / P650902-100001 / Clinton Sewer District Number 3 - OSU Carmenton District Sewer Extension (Voted Sanitary Carryover) / \$1,800,000.00 / 0.00 / (\$1,800,000.00)

6109 / P650346-100003 / DOSD Electrical Upgrades Program (Voted Sanitary Carryover) / \$4,456,705.00 / 0.00 / (\$4,456,705.00)

6109 / P650252-100010 / JPWWTP Screening Improvements (Voted Sanitary Carryover) / \$0.00 / \$2,353,690.00 / \$2,353,690.00

6109 / P650353-100007 / SWWTP Organics Receiving and Bioenergy (Voted Sanitary Carryover) / \$1,584,537.00 / \$11,432,966.00 / \$9,848,429.00

6109 / P650354-100000 / SWWTP Post Aeration Diffuser Replacement (Voted Sanitary Carryover) / \$1,043,898.00 / \$1,409,914.00 / \$366,016.00

6109 / P650660-100013 / DOSD Sanitary Pump Stations SA13 (Voted Sanitary Carryover) / \$0.00 / \$460,045.00 / \$460,045.00

6109 / P650261-103000 / Small Cap Program & G&A for PCM Contract (Voted Sanitary Carryover) / \$1,620,565.00 / \$2,000,000.00 / \$379,435.00

6109 / P650234-100200 / DOSD Roof Replacements, No. 3 (Voted Sanitary Carryover) / \$500,000.00 / \$750,000.00 / \$250,000.00

**SECTION 2.** That the transfer of \$13,407,616.07, or so much thereof as may be needed, is hereby authorized between projects within the Sanitary Bond Fund, Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to modify and increase the professional services contract with Ascension Construction Solutions, LLC, 1650 Watermark Dr. Ste. 200, Columbus, Ohio 43215; for the WWTFs Professional Construction Management Services #3 project, in an amount up to \$17,952,267.00.

**SECTION 4.** That an expenditure of \$17,952,267.00, or so much thereof as may be needed, is hereby authorized from the Sanitary Bond Fund, Fund 6109, to pay for this contract modification per the accounting codes in the attachment to this ordinance.

**SECTION 5.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 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.

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**Legislation Number:** 3367-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter:** Ordinance

**Type:**

**Background:** Through a series of annexations and rezoning ordinances passed this decade for properties within the Rocky Fork-Blacklick community of northeast Columbus, City Council has approved infill developments consisting of primarily multi-family developments and some smaller commercial developments. Through these various ordinances, there is projected to be up to 1,134 new multi-family units with an estimated value of almost \$150,000,000 likely to be constructed over the next couple of years. These developments are also not currently within one of the City’s existing tax increment financing (“TIF”) incentive districts that have been historically used to finance public infrastructure improvements necessary to accommodate the new population growth in this area. Through collaboration between multiple City departments, there is anticipated to be a need for additional TIF revenue as the estimated costs of planned public infrastructure improvements (with additional work contemplated as being necessary) are outstripping the revenue generated by the existing TIFs.

This Ordinance establishes a new non-school TIF area pursuant to Ohio Revised Code Sections 5709.40(B), 5709.42, and 5709.43 that will include the aforementioned developments primarily between State Route 161 and Walnut Street to the north and south and Cabbage Road and New Albany Road to the west and east as depicted on Exhibit A attached hereto (the “Rocky Fork II TIF”). The proposed Rocky Fork II TIF will provide for a one-hundred percent (100%) exemption from real property taxation on the improvements to those parcels within the Rocky Fork II TIF for a coextensive period for all parcels of not more than thirty (30) years. Eastland-Fairfield Career & Technical Schools, Columbus City Schools, New Albany-Plain Local Schools, and Westerville City Schools will receive, in the same manner as usual, all amounts they would have received in real property taxes had the tax exemption herein not been granted. Annual service payments in lieu of taxes will be made by the owners of each parcel with respect to improvements to the Rocky Fork II TIF parcels. The applicable portion of those service payments in lieu of taxes will be distributed directly to the applicable school districts, and the remaining portion of those service payments in lieu of taxes will be paid to the City for deposit into the appropriate TIF fund established by this Ordinance to be used to finance public infrastructure improvements benefiting the Rocky Fork II TIF parcels.

**Fiscal Impact:** No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received from development on the Rocky Fork II TIF parcels. Instead, the non-school portion of that revenue will be diverted to the TIF fund.

To create the Rocky Fork II TIF encompassing undeveloped infill parcels within the Rocky Fork-Blacklick community of northeast Columbus; to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to require the owners of those parcels to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the Eastland-Fairfield Career & Technical Schools, Columbus City Schools, New Albany-Plain Local Schools, and Westerville City Schools; and to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those non-school service payments.



**WHEREAS**, through a series of annexations and rezoning ordinances passed this decade for properties within the Rocky Fork-Blacklick community primarily between State Route 161, Walnut Street, Cabbage Road, and New Albany Road, City Council has approved infill developments consisting of primarily multi-family developments and some smaller commercial developments; and

**WHEREAS**, through these various ordinances, there is projected to be up to 1,134 new multi-family units with an estimated value of almost \$150,000,000 to be constructed that are also not currently within one of the City's existing tax increment financing ("TIF") incentive districts; and

**WHEREAS**, there is a need for additional TIF revenue for public infrastructure improvements identified in Exhibit B attached hereto (collectively, the "Public Infrastructure Improvements" and each a "Public Infrastructure Improvement") to accommodate the new population growth in the Rocky Fork-Blacklick community as the estimated costs of such are outstripping the revenue generated by the existing TIFs; and

**WHEREAS**, Ohio Revised Code ("R.C.") Sections 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Statutes") authorize this Council, by ordinance, to declare the improvement to parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the school districts in which those parcels are located and to the City, establish a municipal public improvement tax increment equivalent fund for the deposit of those non-school service payments, and specify the purposes for which money in that fund will be expended; and

**WHEREAS**, in order to pay for the costs of the Public Infrastructure Improvements, this Council has determined that it is necessary and appropriate and in the best interest of the City to establish a tax increment financing area encompassing the aforementioned properties as depicted on Exhibit A attached hereto (the "Rocky Fork II TIF") to exempt from taxation one-hundred percent (100%) of the improvements to each parcel of real property within the Rocky Fork II TIF (collectively the "Parcels" and each a "Parcel") as permitted and provided in R.C. 5709.40(B) for up to a thirty (30) year coextensive period for all Parcels and to simultaneously direct and require the current and future owners of each Parcel (each individually an "Owner" and collectively the "Owners") to make annual payments in lieu of taxes (the "Service Payments"), in the same amount as they would have made real property tax payments but for the exemptions provided by this Ordinance; and

**WHEREAS**, the City has determined that the applicable portion of the Service Payments shall be paid directly to Eastland-Fairfield Career & Technical Schools, Columbus City Schools, New Albany-Plain Local Schools, and Westerville City Schools (the "School Districts") in an amount equal to the real property taxes that the School Districts would have been paid if the improvement to each Parcel located within the School Districts had not been exempt from taxation pursuant to this Ordinance; and

**WHEREAS**, pursuant to R.C. Section 5709.43(A), this Council has determined to establish a municipal public improvement tax increment equivalent fund in which there shall be deposited the appropriate remaining non-school Service Payments distributed to the City as provided herein; and

**WHEREAS**, notice of this proposed Ordinance has been delivered to the Board of Education of the School Districts in accordance with and within the time periods prescribed in R.C. Sections 5709.40 and 5709.83, respectively; **NOW, THEREFORE**,

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

**SECTION 1.** Parcels and Creation of TIF Area. That the Parcels, and each individual Parcel as currently or subsequently configured, subject to this Ordinance are identified and depicted on Exhibit A. The Parcels will be included in a new tax increment financing area the boundaries of which shall be corresponding with the boundary of, and shall include, the Parcels known hereafter as the Rocky Fork II TIF.

**SECTION 2.** Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in Exhibit B and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements made, to be made, or in the process of being made that directly benefit, or that once made, will directly benefit the Parcels.

**SECTION 3.** Exemption. Pursuant to R.C. Section 5709.40(B), this Council hereby finds and determines that one-hundred percent (100%) of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the “Improvement” as defined in R.C. Section 5709.40(A)) is hereby declared to be a public purpose and exempt from taxation for a coextensive period for all Parcels, which commences for all Parcels with the tax year that begins on January 1, 2024 (for service payments to be first paid and collected in 2025) and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes (the “TIF Exemption”). The TIF Exemption provided by this Ordinance is subordinate to any exemption for a Parcel granted pursuant to R.C. Section 3735.65 et. seq. (community reinvestment area), R.C. Section 5709.61 et. seq. (enterprise zone) and R.C. Section 5709.08 (government and public property) (collectively, the “Authorized Superior Exemptions”). Accordingly, and in accordance with R.C. Section 5709.911(B), by this duly enacted Ordinance, this Council provides its duly authorized consent to any Authorized Superior Exemptions to the Parcels applied for after the TIF Exemption.

**SECTION 4.** Service Payments. As provided in R.C. Section 5709.42, each Owner and collectively the Owners are hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Franklin County Treasurer or its designee on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to this Ordinance, including any penalties and interest (collectively, the “Service Payments”). The Service Payments, and any other payments with respect to each Improvement that are received in connection with the reduction required by R.C. Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “Property Tax Rollback Payments”), will be deposited and distributed in accordance with this Ordinance.

**SECTION 5.** TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, the Rocky Fork II Municipal Public Improvement Tax Increment Equivalent

Fund (the “TIF Fund”) into which the appropriate Service Payments and Property Tax Rollback Payments collected with respect to the Parcels and not required pursuant to this Ordinance to be distributed to the School Districts will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Statutes and this Ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with R.C. Section 5709.43.

**SECTION 6.** Distributions; Payment of Costs. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments as follows:

a. To the School Districts, an amount equal to the amount the School Districts would otherwise receive as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance.

b. To the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements.

All distributions required under this Section are to be made at the same time and in the same manner as real property tax distributions.

**SECTION 7.** Further Authorizations. This Council hereby authorizes the Director of the Department of Development, the City Clerk or other appropriate officers of the City to deliver a copy of this Ordinance to the Ohio Department of Development and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the Director of the Department of Development, the City Clerk, the City Attorney or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

**SECTION 8.** TIRC. The City’s Tax Incentive Review Council (“TIRC”) shall review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other matters as may properly come before the TIRC, all in accordance with Section 5709.85 of the Ohio Revised Code.

**SECTION 9.** Effective Date. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3369-2023

**Drafting Date:** 11/20/2023

**Current Status:** Passed

**BACKGROUND:** City Council created a tax increment financing area near the northwest intersection of Old Dublin Road and Trabue Road pursuant to Section 5709.40(B) of the Ohio Revised Code (the “Old Dublin Road TIF”) by its passage of Ordinance No. 1237-2015 on June 9, 2015. In order to fund additional public infrastructure improvements in and around the West Scioto Area Commission, City Council expanded the Old Dublin Road TIF area pursuant to Section 5709.40(B) of the Ohio Revised Code by its passage of Ordinance No. 3168-2019 on December 16, 2019. In order to fund additional public infrastructure improvements benefiting proactive industrial development in and around the former Buckeye Yard intermodal railroad terminal on Franklin County Auditor Tax Parcel ID Nos. 560-316942, 560-316943, 560-316944, 560-316945, 560-316946, and 560-316947 (collectively, the “Buckeye Yard Parcels”), the Department of Development has submitted legislation for City Council consideration of a second expansion of the Old Dublin Road TIF area pursuant to Section 5709.40(B) of the Ohio Revised Code.

As the owner of the Buckeye Yard Parcels, Buckeye XO, LLC (the “Developer”), is planning to sell to a purchaser that will redevelop a portion of the Buckeye Yard Parcels with a facility (the “Private Project”) that will retain and generate new jobs and employment opportunities within the City. To enable the construction of the Private Project, certain public easements at the Buckeye Yard Parcels must be acquired over and within Franklin County Auditor Tax Parcel ID No. 560-316947 (Buckeye Yard Phase 1 Reserve A) (such acquisition, the “Public Project,” with the easement area acquired being the “Project Site”) to support the Private Project and additional proactive industrial development in the vicinity A portion of the surplus TIF money from the 2019 and 2023 expansions of the Old Dublin Road TIF not already pledged under agreements with Columbus-Franklin County Finance Authority (the “CFCFA”) pursuant to Ordinance Nos. 1342-2020 and 0669-2021 (the “Available Service Payments”) will be used to finance the Public Project at the Project Site. This Ordinance approves and authorizes a new Tax Increment Financing and Cooperative Agreement (the “2023 Cooperative Agreement”) by and among the City, the CFCFA, and the Developer pursuant to which the CFCFA will issue bonds to finance a portion of the Public Project. The City will pledge the Available TIF Revenue to repaying those bonds and collecting the City’s TIF fees. This Ordinance will also appropriate and authorize the expenditure or transfer of the Available TIF Revenue pursuant to the 2023 Cooperative Agreement.

**FISCAL IMPACT:** No funding is required for this legislation. Pursuant to the Tax Increment Financing Agreement and Cooperative Agreement authorized by this Ordinance, the City is appropriating and authorizing the expenditure or transfer of the service payments in lieu of taxes generated by the parcels subject to the Old Dublin Road TIF deposited or to be deposited in the Old Dublin Road Public Improvement Tax Equivalent Fund that are not already pledged under agreements with the CFCFA pursuant to Ordinance Nos. 1342-2020 and 0669-2021.

To appropriate and authorize the expenditure or transfer of the service payments in lieu of taxes generated by the parcels subject to the Old Dublin Road TIF deposited in the Old Dublin Road Public Improvement Tax Increment Equivalent Fund (that are not already pledged under agreements with the Columbus-Franklin County Finance Authority pursuant to Ordinance Nos. 1342-2020 and 0669-2021) pursuant to the Tax Increment Financing Agreement and Cooperative Agreement ("2023 Cooperative Agreement"); to authorize the Director of the Department of Development to execute and deliver the 2023 Cooperative Agreement by and among the City of Columbus, the Columbus-Franklin County Finance Authority, and Buckeye XO, LLC for the bond financing of certain public easements over and within Franklin County Auditor Tax Parcel ID No. 560-316947 (Buckeye Yard Phase 1 Reserve A); and to authorize the Director of the Department of Development or other

appropriate officers of the City to deliver such other agreements and instruments, including but not limited to the public easements, and to take such other action necessary to secure the bonds.

**WHEREAS**, by Ordinance No. 1237-2015 passed on June 9, 2015 (the “2015 TIF Ordinance”), this Council created a tax increment financing area pursuant to Sections 5709.40(B), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “TIF Statutes”) whereby the City exempted certain parcels near the northwest intersection of Old Dublin Road and Trabue Road (the “Old Dublin Road TIF”); and

**WHEREAS**, pursuant to Ordinance No. 3168-2019 passed on December 16, 2019 (the “2019 TIF Ordinance”), this Council expanded the Old Dublin Road pursuant to the TIF Statutes to include additional nonresidential parcels within the West Scioto Area Commission; and

**WHEREAS**, pursuant to an ordinance submitted for consideration on the same dates hereof (the “2023 TIF Ordinance”), this Council will expand the Old Dublin Road pursuant to the TIF Statutes to include additional nonresidential parcels within the Far West Side Area Commission; and

**WHEREAS**, pursuant to Ordinance No. 1342-2020, the City appropriated and authorized the expenditure of a portion of the service payments in lieu of taxes generated by the 2019 TIF Ordinance to the Columbus-Franklin County Finance Authority (the “CFCFA”) under a Tax Increment Financing and Cooperative Agreement dated June 30, 2020 (the “2020 Cooperative Agreement”); and

**WHEREAS**, pursuant to Ordinance No. 0669-2021, the City appropriated and authorized the expenditure of the service payments in lieu of taxes generated by the 2015 TIF Ordinance to the CFCFA under a Tax Increment Financing and Cooperative Agreement dated May 12, 2021 (the “2021 Cooperative Agreement”); and

**WHEREAS**, in order to provide funds for the acquisition, design, and construction of public infrastructure improvements needed to benefit proactive industrial development in and around the former Buckeye Yard intermodal railroad terminal on Franklin County Auditor Tax Parcel ID Nos. 560-316942, 560-316943, 560-316944, 560-316945, 560-316946, and 560-316947 (collectively the “Buckeye Yard Parcels”), the Department of Development has submitted the 2023 TIF Ordinance for City Council consideration to again expand the Old Dublin Road TIF area; and

**WHEREAS**, as the owner of the Buckeye Yard Parcels, Buckeye XO, LLC (the “Developer”), is planning to sell to a purchaser that will redevelop a portion of the Buckeye Yard Parcels with a facility (the “Private Project”) that will retain and generate new jobs and employment opportunities within the City; and

**WHEREAS**, to enable the construction of the Private Project, certain public easements at the Buckeye Yard Parcels must be acquired over and within Franklin County Auditor Tax Parcel ID No. 560-316947 (Buckeye Yard Phase 1 Reserve A) (such acquisition, the “Public Project,” with the easement area acquired being the “Project Site”) to support the Private Project and additional proactive industrial development in the area; and

**WHEREAS**, the CFCFA is willing to issue bonds to finance the Public Project provided that the City and the Developer each approve and enter into a new Tax Increment Financing Agreement and Cooperative Agreement (the “2023 Cooperative Agreement”) with the CFCFA; and

**WHEREAS**, pursuant to the 2023 Cooperative Agreement for the Public Project, the City is appropriating and

authorizing the expenditure or transfer of a portion of the surplus service payments in lieu of taxes generated by the parcels subject to the Old Dublin Road TIF deposited or to be deposited in the Old Dublin Road Public Improvement Tax Equivalent Fund that are not already pledged under the 2020 Cooperative Agreement and the 2021 Cooperative Agreement (the “Available TIF Revenue”); **NOW, THEREFORE,**

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

**SECTION 1.** 2023 Cooperative Agreement. That the Director of the Department of Development or his or her designee (collectively, the “Director”), for and in the name of the City, is hereby authorized to execute and deliver the 2023 Cooperative Agreement presently on file with the Director along with any changes or amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director and the City Attorney, provided that the approval of such changes and amendments thereto, and the character of those changes and amendments as not being substantially adverse to the City, shall be evidenced conclusively by the execution and delivery of said 2023 Cooperative Agreement by the Director or designee.

**SECTION 2.** Subsequent Agreements. That the Director or other appropriate officers of the City are authorized to take all actions as may be necessary to implement this Ordinance and the transactions contemplated by the 2023 Cooperative Agreement including but not limited to being a signatory acknowledging and accepting the public easements for the Project Site.

**SECTION 3.** Appropriation. That the Available TIF Revenue deposited or to be deposited into the Old Dublin Road Public Improvement Tax Equivalent Fund (Fund 7467) created by the 2015 TIF Ordinance, shall be deemed appropriated for the purposes set forth in the 2023 Cooperative Agreement and authorized to be expended therefrom in accordance with the 2023 Cooperative Agreement, and the City Auditor is authorized to make payments to the CFCFA or its designee from the Available TIF Revenue in Old Dublin Road Public Improvement Tax Equivalent Fund (Fund 7467) in accordance with the 2023 Cooperative Agreement upon order of the Director, or his or her designee, 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.** TIF Fees. That the City Auditor is authorized to make annual transfers of \$5,000 from the Available TIF Revenue in the Old Dublin Public Improvement Tax Equivalent Fund (Fund 7467) to the Business Tax Incentive Fund (2229), subject to the authorization of the Director, for the City TIF Administrative Fee in accordance with the 2023 Cooperative Agreement and Ordinance No. 3169-2022.

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

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**Legislation Number:** 3370-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** City Council created the Old Dublin Road TIF near the northwest intersection of Old Dublin Road and Trabue Road pursuant to Section 5709.40(B) of the Ohio Revised Code by its passage of Ordinance No. 1237-2015 on June 9, 2015. In order to fund additional public infrastructure improvements in and around the West Scioto Area Commission, City Council expanded the Old Dublin Road TIF area pursuant to Section 5709.40(B) of the Ohio Revised Code by its passage of Ordinance No. 3168-2019 on December 16, 2019. In order to fund additional public infrastructure improvements benefiting proactive industrial development in and around the former Buckeye Yard intermodal railroad terminal, the Department of Development is proposing a second expansion of the Old Dublin Road TIF area pursuant to Section 5709.40(B) of the Ohio Revised Code.

This Ordinance expands the Old Dublin Road TIF for a second time and provides for a 100% exemption from real property taxation on all nonresidential development on the additional TIF parcels for a separate period of not more than thirty (30) years. The TIF money will be used to finance land acquisition in aid of industry, commerce, distribution, or research, utility lines, traffic improvements, and other public infrastructure improvements needed in the Old Dublin Road TIF area. The Columbus City School District, South Western City School District, Hilliard City School District, and Tolles Career & Technical School District (collectively the “School Districts”) will receive, in the same manner as usual, all amounts that they would have received in real property taxes had the exemption not been granted. Annual service payments in lieu of taxes will be made with respect to new nonresidential development on each TIF parcel in the 2023 expansion area. The applicable portion of those service payments will be distributed directly to the School Districts, with the remaining non-school portion of those service payments paid to the City for deposit into the existing TIF fund established in Ordinance No. 1237-2015 to be used to fund public improvements benefiting the Old Dublin Road TIF parcels. This Ordinance will also remove certain parcels and areas from the 2019 expansion of the Old Dublin Road TIF.

**FISCAL IMPACT:** No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received with respect to development on the new TIF parcels. Instead, the non-school portion of that revenue will be diverted to the existing TIF fund to be used for public infrastructure improvements benefiting the TIF parcels.

To amend Ordinance No. 1237-2015, as previously amended by Ordinance No. 3168-2019, to remove and add certain parcels of real property to the Old Dublin Road TIF; to declare the nonresidential improvements to the 2023 additional parcels added herein to be a public purpose and exempt from real property taxation for a separate exemption period from the 2015 and 2019 Old Dublin Road parcels exemption periods; to require the owner(s) of the 2023 additional parcels added herein to make service payments in lieu of taxes; to require the distribution of the applicable portion of those service payments to the school districts; and to deposit the remainder of those service payments into the Old Dublin Road TIF Fund for public infrastructure improvements.

**WHEREAS,** Sections 5709.40(B), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “TIF Statutes”) authorize the legislative authority of a municipal corporation, by ordinance, to: (i) declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, (ii) require the owner of each parcel to make service payments in lieu of taxes, (iii) provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district and joint vocational school district, (iv) establish a municipal public improvement tax

increment equivalent fund for the deposit of the remainder of such service payments, and (v) specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

**WHEREAS**, by Ordinance No. 1237-2015 passed on June 9, 2015 (the “2015 TIF Ordinance”), this Council created a tax increment financing area pursuant to the TIF Statutes (the “Old Dublin Road TIF”) whereby the City exempted certain parcels near the northwest intersection of Old Dublin Road and Trabue Road (the “2015 Parcels”) identified and depicted in Exhibit A; and

**WHEREAS**, pursuant to Ordinance No. 3168-2019 passed on December 16, 2019 (the “2019 TIF Ordinance” and together with the 2015 TIF Ordinance and this Ordinance, the “TIF Ordinance”), this Council expanded the Old Dublin Road pursuant to the TIF Statutes to include additional nonresidential parcels within the West Scioto Area Commission (the “2019 Parcels”) identified and depicted in Exhibit A; and

**WHEREAS**, in order to provide funds for the construction of public infrastructure improvements needed to benefit proactive industrial development in and around the former Buckeye Yard intermodal railroad terminal, the Department of Development has proposed to again expand the Old Dublin Road TIF area; and

**WHEREAS**, this Ordinance will repeal and replace Exhibit A to the 2015 TIF Ordinance, as amended and supplemented by the 2019 TIF Ordinance, to add the nonresidential parcels of real property identified and depicted in Exhibit A attached hereto (with each current or future parcel(s) of such real property referred to herein individually as the “2023 Parcel,” or collectively the “2023 Parcels,” and together with the 2015 Parcels and 2019 Parcels shall be treated as a “Parcel” and collectively as the “Parcels” for purposes of the TIF Ordinance); and

**WHEREAS**, the improvements to the 2023 Parcels will be one-hundred percent (100%) exempt from taxation for a new, separate thirty (30) year term from the Parcels of the 2015 TIF Ordinance and 2019 TIF Ordinance, with each group of Parcels under those ordinances on separate 30-year terms as well; and

**WHEREAS**, the City has determined that the applicable portion of the service payments in lieu of taxes generated from the 2023 Parcels shall be paid directly to Columbus City Schools, South Western City School District, Hilliard City School District, and Tolles Career & Technical Center (the “School Districts”) in an amount equal to the real property taxes that the School Districts would have been paid if the improvement to the 2023 Parcels located within each of the School Districts had not been exempt from taxation; and

**WHEREAS**, the remaining non-school service payments in lieu of taxes from the 2023 Parcels will be distributed to the City for deposit into the Old Dublin Road TIF Fund to be used for public infrastructure improvements; and

**WHEREAS**, notice of this Ordinance has been delivered to the Board of Education of the School Districts in accordance with and within the time periods prescribed in Sections 5709.40 and 5709.83 of the Ohio Revised Code; and

**WHEREAS**, this Ordinance will also remove from the Old Dublin Road TIF certain 2019 Parcels identified and depicted in Exhibit A attached hereto (the “2019 Removed Parcels”) for administrative purposes as they will be ineligible for this TIF exemption or are anticipated to be included in a future TIF exemption; **NOW, THEREFORE**,



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

**SECTION 1.** TIF Amendments. Exhibit A to the 2015 TIF Ordinance and Exhibit A to the 2019 TIF Ordinance are hereby repealed and replaced with Exhibit A attached hereto to add the 2023 Parcels to the Old Dublin Road TIF as well as remove the 2019 Removed Parcels from the Old Dublin Road TIF.

**SECTION 2.** Parcels of the Old Dublin Road TIF. That the Parcels, as defined in the 2015 TIF Ordinance and the 2019 TIF Ordinance and set forth in each prior Exhibit A, are hereby supplemented to include the 2023 Parcels as set forth in this Exhibit A; the 2015 Parcels, 2019 Parcels, and 2023 Parcels shall each be considered a Parcel and included in the Parcels for all purposes of the TIF Ordinance, as amended hereby.

**SECTION 3.** 2023 Parcels Exemption Term. The exemption period for one-hundred percent (100%) of the Improvement, as defined in the 2015 TIF Ordinance, to those 2023 Parcels commences on a separate term (from the separate terms of the Parcels added by the 2015 TIF Ordinance and 2019 TIF Ordinance) with the first tax year that begins after the effective date of this Ordinance and in which an Improvement first appears on the tax list and duplicate of real and public utility property for any of the 2023 Parcels and ends on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

**SECTION 4.** Subordination. The TIF exemption granted herein and by the 2015 TIF Ordinance to the 2023 Parcels and the payment obligations established pursuant to the 2015 TIF Ordinance and this Ordinance are subject and subordinate to any tax exemption applicable to the 2023 Parcels pursuant to Section 140.08 or Sections 5709.12 and 5709.121 or under Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code.

**SECTION 5.** School Districts. Any reference to the School Districts in the 2015 TIF Ordinance and 2019 TIF Ordinance shall hereafter refer to the School Districts, as defined herein. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the applicable service payments and property tax rollback payments to the School Districts in an amount equal to the amount each would otherwise receive as real property tax payments (including the applicable portion of any property tax rollback payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to the TIF Ordinance.

**SECTION 6.** No Other Modifications. Except as provided herein, all provisions of the TIF Ordinance remain in full force and effect; it is the intent of City Council that the 2015 TIF Ordinance, the 2019 TIF Ordinance, and this Ordinance be construed together as a single instrument.

**SECTION 7.** Further Authorizations. This Council ratifies the delivery of the notice of this Ordinance to the School Districts pursuant to Section 5709.40 and Section 5709.83 of the Ohio Revised Code; authorizes and directs the Director of the Department of Development, the City Clerk, and/or other appropriate officers of the City or their designees to deliver a copy of this Ordinance and status reports to the Ohio Department of Development pursuant to Section 5709.40(I) of the Ohio Revised Code; to make such arrangements as are necessary and proper for the collection of the service payments in lieu of taxes from the 2023 Parcels; and further authorizes those same officials of the City and their designees to execute such other agreements and instruments and to take all actions necessary to implement this Ordinance.

**SECTION 8. Effective Date.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3371-2023

**Drafting Date:** 11/20/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** The City owns or owned Franklin County Tax ID Parcel Nos. 010-054645 (the “NMDA Parcel”) and 010-307276 (the “Project Site”). North Market Development Authority, Inc. (“NMDA”) leases and operates a public market in a former warehouse (the “North Market”) on the NMDA Parcel. The City selected NM Developer LLC (the “Developer”) from a request for proposals to redevelop the Project Site with a 32-story mixed-use project. Pursuant to Ordinance No. 2135-2023 passed by City Council on July 24, 2023, the City entered into the First Amended and Restated Economic Development Agreement dated August 29, 2023 (the “Restated EDA”) with the NMDA and the Developer. Pursuant to the Restated EDA, the new development on the Project Site will include public parking spaces, an expansion of the North Market, a public atrium, patio, and plaza in support of the North Market, and other public improvements and site work described in the Restated EDA (collectively, the “Public Project”). Ordinance 2135-2023 also authorized the City to enter into the Cooperative Agreement dated August 29, 2023 with the Columbus-Franklin County Finance Authority to provide a portion of the financing for the Public Project (the “Public Improvements Grant”). This ordinance authorizes the City to amend the 2023 Capital Improvement Budget, to transfer funds between projects, and to authorize and remit the expenditure of the first five million dollars of the Public Improvements Grant to the Columbus-Franklin County Finance Authority. Additional legislation will be submitted to address the remaining balance of the Public Improvements Grant.

**FISCAL IMPACT:** Funding in the amount of \$5,000,000.00 is available in the Development Taxable Bonds Fund (7739) within the Department of Development. An amendment to the 2023 Capital Improvement Budget and a transfer of funds are necessary to align funding for these Public Project expenditures. Funds are already appropriated.

To amend the 2023 Capital Improvements Budget; to authorize the transfer of funds within the Development Taxable Bonds Fund; to authorize the Director of the Department of Development to remit a portion of the Public Improvements Grant to the Columbus-Franklin County Finance Authority for the North Market project pursuant to the Cooperative Agreement dated August 29, 2023; and to authorize the expenditure of \$5,000,000.00 for the public improvements for the North Market project. (\$5,000,000.00)

**WHEREAS,** the City owns Franklin County Tax ID Parcel No. 010-054645 (the “NMDA Parcel”), which it leases to the North Market Development Authority, Inc. (“NMDA”) to operate a public market in a former warehouse on the NMDA Parcel (the “North Market”); and

**WHEREAS**, the City selected NM Developer LLC (the “Developer”) from a request for proposals to develop a now 32-story mixed use project adjacent to the NMDA Parcel on the former City owned the Franklin County Tax ID Parcel No. 010-307276 (the “Project Site”); and

**WHEREAS**, pursuant to Ordinance No. 2135-2023 passed by City Council on July 24, 2023, the Director of the Department of Development (the “Director”) entered into the First Amended and Restated Economic Development Agreement dated August 29, 2023 (the “Restated EDA”) with NMDA and the Developer; and

**WHEREAS**, pursuant to the Restated EDA, the development on the Project Site will include certain public areas including 280 market and public parking spaces, collectively an approximately 19,000 square-foot expansion of the existing North Market including a public atrium, patio, and plaza, and other public improvements and site work described in the Restated EDA (collectively, the “Public Project”); and

**WHEREAS**, in order to effectuate certain provisions contained in the Restated EDA, Ordinance No. 2135-2023 also authorized the City to enter into the Cooperative Agreement dated August 29, 2023 (the “Cooperative Agreement”) with the Columbus-Franklin County Finance Authority to provide a portion of the financing for the Public Project (the “Public Improvements Grant”); and

**WHEREAS**, this ordinance authorizes funding in the amount of \$5,000,000.00 for the initial funding of the Public Improvements Grant pursuant to the Cooperative Agreement; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvements Budget for the purpose of providing sufficient spending authority for the initial funding of the Public Improvements Grant; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds within the Development Taxable Bonds Fund (7739) to establish sufficient cash to pay for the initial funding of the Public Improvements Grant; and

**WHEREAS**, additional legislation will be submitted for the remaining balance of the Public Improvements Grant; **NOW, THEREFORE**,

**BE IT ORDAINED by the Council of the City of Columbus:**

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance No. 1711-2023 be amended as follows to establish sufficient authority for the initial funding of the Public Improvements Grant:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7739 / P441782-100000 / Eastland Area Infrastructure (Unvoted Carryover) / \$5,000,000.00 / (\$5,000,000.00) / \$0.00

7739 / P441768-100008 / North Market Streetscape Phase 2 (Unvoted Carryover) / \$0.00 / \$5,000,000.00 / \$5,000,000.00

**SECTION 2.** That the transfer of \$5,000,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7739 (Development Taxable Bonds Fund), from Dept-Div 4402 (Economic Development), Project P441782-100000 (Eastland Area Infrastructure), Object Class 06 (Capital Outlay) to Dept-Div 4402 (Economic Development), Project P441768-100008 (North Market Streetscape Phase 2), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Development be and hereby is authorized to remit the initial funding of the Public Improvements Grant to the Columbus-Franklin County Finance Authority pursuant to the Cooperative Agreement. That the monies herein shall be paid upon order of the Director of the Department of Development, 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 pursuant to the Cooperative Agreement, the expenditure of \$5,000,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7739 (Development Taxable Bonds Fund), in Dept-Div 4402 (Economic Development), Project P441768-100008, in Object Class 06 (Capital Outlay) per the account codes attached to 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 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3372-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** Pursuant to Ordinance No. 2135-2023 passed July 24, 2023, the City entered into the First Amended and Restated Economic Development Agreement dated as of August 29, 2023 (the “Restated EDA”) with The North Market Development Authority, Inc. and NM Developer LLC (the “NM Developer”), which contemplated the creation of a new community authority for Parcel No. 010-307276 (the “Project Site”) under Ohio Revised Code (“R.C.”) Chapter 349. The City, as the former owner of the Project Site and therefore the statutory “Developer” as defined by R.C. Section 349.01(E), submitted a Petition for Organization of a New Community Authority (the “Petition”) on October 28, 2022 to the Clerk of City Council. As the organizational board of commissioners under R.C. Section 349.01(F), City Council adopted Resolution No. 0220X-2022 on November 16, 2022 to determine the sufficiency of the Petition and to hold a public hearing date for the Petition on November 30, 2022.

Pursuant to R.C. Section 349.03(A), City Council adopted Resolution No. 0134X-2023 on July 24, 2023 to (i) amend and approve the Petition, (ii) establish the NM Mixed-Use New Community Authority (the “Authority”), (iii) amend and establish the Authority’s new community district (the “District”), and (iv) make the initial appointments to the Authority’s nine-member board of trustees. In accordance with the Restated EDA, City Council by Ordinance No. 2154-2023, passed July 24, 2023, approved the City’s transfer on August 31, 2023 of the Project Site encompassing the District to NM Developer. In furtherance of the Restated EDA and the Petition, this ordinance will authorize the Director of the Department of Development to execute the Assignment and Assumption of Rights, Duties, and Responsibilities of Developer to allow the City to assign and NM Developer to assume the role of statutory Developer under the Petition, Resolutions 0220X-2022 and 0134X-2023, and R.C. Chapter 349. This ordinance will also reappoint the Authority’s trustees as to who is a citizen or statutory developer member.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to execute an Assignment and Assumption of Rights, Duties, and Responsibilities of Developer to allow the City to assign and NM Developer LLC to assume the role of “Developer” of the NM Mixed-Use Project NCA under its petition dated October 28, 2022, Resolutions 0220X-2022 and 0134X-2022, and Ohio Revised Code Chapter 349; to reappoint the NCA’s board of trustees as to who is a citizen member and who is a statutory developer member.

**WHEREAS**, pursuant to Ordinance No. 2135-2023 passed July 24, 2023, the City entered into the First Amended and Restated Economic Development Agreement dated as of August 29, 2023 (the “Restated EDA”) with The North Market Development Authority, Inc. and NM Developer LLC (the “NM Developer”); and

**WHEREAS**, the Restated EDA contemplated the creation of the NM Mixed-Use Project New Community Authority (the “Authority”) under Ohio Revised Code Chapter 349 (“Chapter 349”) for Parcel No. 010-307276 (the “Project Site”); and

**WHEREAS**, on October 28, 2022, the City, as the former owner of the Project Site and therefore the statutory “Developer” as defined by Chapter 349, submitted to the Clerk of City Council a Petition for Organization of a New Community Authority (the “Petition”) under Chapter 349; and

**WHEREAS**, pursuant to Chapter 349, this Council adopted Resolution No. 0220X-2022 that determined that the Petition is sufficient and complied with the requirements of Chapter 349 in form and substance, and authorized notices and a public hearing for the Petition on November 30, 2022; and

**WHEREAS**, pursuant to Resolution No. 0134X-2023, this Council amended and approved the Petition; established the Authority; amended and established its new community district (the “District”); declared the Authority as a body politic and corporate within said District; and made the City’s initial appointments to the Authority’s board; and fixed surety for their bonds; and

**WHEREAS**, in accordance with the Restated EDA, City Council pursuant to Ordinance No. 2154-2023, passed July 24, 2023, approved the City’s transfer on August 31, 2023 of the Project Site encompassing the District to NM Developer; and

**WHEREAS**, in furtherance of the Restated EDA and the Petition, the City now desires to assign and for NM Developer to assume the rights, duties, and responsibilities of the statutory Developer pursuant to the Petition, Resolution Nos. 0220X-2022 and 0134X-2023, and Chapter 349; and

**WHEREAS**, the City also desires to reappoint individual members of the Authority’s board of trustees as either citizen members or developer members, all for the preservation of the public health, peace, property, safety, and welfare; **NOW, THEREFORE**,

**BE IT RESOLVED by the Council of the City of Columbus:**

**Section 1. Approval of Developer.** That NM Developer LLC is qualified to serve as the statutory Developer for the Authority, and the same is hereby authorized by Council.

**Section 2. Assignment and Assumption.** That the Director of the Department of Development is hereby authorized to execute the Assignment and Assumption of Rights, Duties, and Responsibility of Developer (the “Assignment”) by and between the City and NM Developer to replace the City as the statutory Developer of the Authority; the City will assign that role to NM Developer who will agree to assume the rights, duties, and responsibilities of the City as the statutory Developer pursuant to the Petition, Resolution Nos. 0220X-2022 and 0134X-2023, and Chapter 349 as of the effective date of the Assignment.

**Section 3. Board Members Reappointments.** That the current appointees of the Board of Trustees shall be reappointed as follows:

- (i) Gregory A. Gorospe, Michael Gould, Justin Argentine, and Ben Pierson, who were appointed as citizen members by Resolution No. 0134X-2023, shall be statutory Developer members henceforth during their terms, and NM Developer, as the new statutory Developer under Chapter 349, shall be responsible for appointing statutory Developer members upon execution of the Assignment.
- (ii) Kenneth N. Wilson, George Kauffman, Rick Harrison Wolfe, and Joe Lombardi, who were appointed as statutory Developer members by Resolution No. 0134X-2023 while the City served in that role, shall be citizen members henceforth during their terms, and the City shall remain responsible for appointing citizen members upon execution of the Assignment.
- (iii) Kathy A. Owens shall remain the representative of local government during her term, and the City shall remain responsible for appointing the representative of local government.

**Section 4. Effective Date.** That this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

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<b>Legislation Number:</b>	3373-2023	<b>Current Status:</b>	Passed
<b>Drafting Date:</b>	11/20/2023	<b>Matter Type:</b>	Ordinance
<b>Version:</b>	1		

**Rezoning Application: Z23-054**

**APPLICANT:** Domenic Spencer; c/o Stephanie Hayward, Atty.; 300 Spruce Street, Suite 300; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on November 09, 2023.

**MILO-GROGAN AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 12.50± acre site consists of an undeveloped parcel in the M, Manufacturing District. The requested L-ARLD, Limited Apartment Residential District will allow development of an apartment complex containing up to 217 units. The site is within the planning boundaries of the *Milo-Grogan Neighborhood Plan (2007)* which recommends “Light Industrial” land uses at this location. Staff supports the requested L-ARLD district incorporates high design features, consistent with adjacent multi-unit residential uses, and meets the City’s objective of providing additional housing.

To rezone **1160 CAMDEN AVE. (43201)**, being 12.50± acres located at the eastern terminus of Camden Avenue, **From:** M, Manufacturing District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning #Z23-054).

**WHEREAS**, application #Z23-045 is on file with the Department of Building and Zoning Services requesting rezoning of 12.50± acres from M, Manufacturing District, to L-ARLD, Limited Apartment Residential District; and

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

**WHEREAS**, the Milo-Grogan Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-ARLD, Limited Apartment Residential District includes a site plan that demonstrates high design features consistent with C2P2 Design Guidelines, is consistent with adjacent residential land uses, and will provide additional housing consistent with the City’s objectives; 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:

**1160 CAMDEN AVE. (43201)**, being 12.50± acres located at the eastern terminus of Camden Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and is described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and located within Quarter Township 4, Township 1 North, Range 18 West of the United States Military District, being all of Lots 47-61 and 68-82 of S.J Wooley's Addition, a subdivision of record in Plat Book 4, Page 173; part of Reserve A of Surah Shoemaker's Heirs Subdivision, a subdivision of record in Plat Book 6, Page 17A; all of Lots 125-130 of Theo. Weyant's Subdivision a subdivision of record in Plat Book 7, Pages 194-195; various streets and alleys vacated under Ordinances 438-48, 263-49, 152-54 and being 12.478 acres out of that 18.385 acre tract described in a deed to CRA-CO INVESTMENTS, LLC, of record in Instrument Number 200101220013359 being more particularly described as follows:

Beginning for reference at the southwesterly corner of a 3.270 acre tract described in a deed to 4D FAMILY LIMITED PARTNERSHIP of record in Instrument Number 200012200256779, in the original northerly right of way line of Fifth Avenue; thence North 10 degrees 11 minutes 50 seconds East, along the westerly line of said 3.270 acre tract, a distance of 542.88 feet to a point in the south line of Shoemaker Avenue; thence South 86 degrees 29 minutes 37 seconds East along the southerly line of Shoemaker Avenue, 2 northerly line of said 3.270 acre tract, a distance of 2.19 feet to a point; thence North 04 degrees 03 minutes 29 seconds East along a westerly line of said 3.270 acre tract, a distance of 184.22 feet to a point in the northerly line of a vacated alley; thence North 86 degrees 29 minutes 22 seconds West, along the northerly line of said vacated alley, a distance of 16.00 feet to a point; thence North 04 degrees 03 minutes 29 seconds East, a distance of 168.22 feet to an iron pipe found in the northerly line of Olmstead Avenue, being the True Point of Beginning;

Thence North 86 degrees 28 minutes 47 seconds West along the northerly line of Olmstead Avenue, a distance of 60.00 feet to an iron pin set in the westerly line of said Lot 125;

Thence North 03 degrees 47 minutes 38 seconds East, along the westerly line of said 18.385 acre tract, the westerly line of Lot 125 and Lot 130 and thence crossing Leona Avenue, a distance of 307.88 feet to an iron pin set in the northerly line of Leona Avenue, the southerly line of said Reserve A;

Thence North 86 degrees 25 minute 27 seconds West along the northerly line of Leona Avenue, the southerly line of Reserve A, a distance of 243.70 feet to an iron pin set in the easterly line of an unnamed alley.

Thence North 04 degrees 37 minutes 57 seconds East along the easterly line of said alley, a distance of 141.02 feet to an iron pin set in the northerly line of an unnamed alley;

Thence North 86 degrees 25 minutes 27 seconds West along the northerly line of said alley, a distance of 155.57 feet to an iron pin set in the westerly line of Lot 68;

Thence North 02 degrees 49 minutes 37 Seconds East along the westerly line of Lot 68 and thence crossing Camden Avenue, a distance of 167.66 feet to an iron pin found at the southeasterly corner of a 3.000 acre tract described in a deed to BILDSTEIN LAND HOLDINGS, LLC of record in Instrument Number 200102220036014. being the southwesterly corner of Lot 47, thence North 02 degrees 49 minutes 37 seconds East along the easterly line of said 3.000 acre tract, a distance of



215.91 feet to an iron pin found in the northerly line of said 18.385 acre tract, the southerly line of CONSOLIDATED RAIL CORPORATION;

Thence South 87 degrees 42 minutes 29 seconds East along the northerly line of said 18.385 acre tract, the southerly line of said Consolidated Rail, 8 distance of 576.61 feet 10 an iron pin set in the arc of a non-tangent curve:

Thence continuing along an easterly line of said 18.385 acre tract along the arc of a curve to the right with a radius of 414.97 feet, an arc distance of 506.52 feet to an iron pin set, said arc subtended by a chord bearing South 38 degrees 21 minutes 36 seconds East, a chord distance of 475.66 feet;

Thence South 14 degrees 16 minutes 00 seconds West along an easterly line of said 18.385 acre tract, the westerly line of said Consolidated Rail a distance of 253.98 feet to an iron pin set at the point of curvature of a non-tangent curve;

Thence along an easterly line of said 18.385 acre tract, along the arc of a curve to the right with a radius of 1279.99 feet, an arc distance of 181.19 feet to an iron pin set, said arc subtended by a chord which bears South 26 degrees 29 minutes 41 seconds West, a chord distance of 181.04 feet to an iron pin set;

Thence South 30 degrees 33 minutes 00 seconds West along an easterly line of said 18.385 acre tract, a distance of 81.98 feet to an iron pin set in the south line of said 18.385 acre tract, the northerly line of said 3.270 acre tract;

Thence North 86 degrees 50 minutes 43 seconds West along the southerly line of said 18.385 acre tract, the northerly line of said 3.270 acre tract, a distance of 279.04 feet to the True Point of Beginning containing 12.478 acres of land, more or less.

This description is based on record information and field survey performed under the direction of Robert M. Foster, P.S., in August 2001. Bearings are based on the northerly line of Camden Ave. as recorded in Instrument No. 20010220036014 and shown on a survey by C.P. Bird and R.J. Bull, LTD., dated May 30, 1978 and given as South 87 degrees 42 minutes 29 seconds East. References described hereon refer to those found in the Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-028776

Property Address: 1160 Camden Avenue, Columbus, OH 43201

**To Rezone From:** M, Manufacturing District,

**To:** L-ARLD, Limited Apartment Residential District.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the L-ARLD, Limited Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved L-ARLD, Limited Apartment Residential District and Application among the records of the

Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, “**LIMITATION TEXT**,” dated November 20, 2023, and site plan titled, “**cornerstone crossSING**” dated November 17, 2023, both signed by Domenic Spencer, the Applicant, and the text reading as follows:

**LIMITATION OVERLAY TEXT**

**Existing Zoning District:** M, Manufacturing District  
**Proposed Zoning District:** L-ARLD, Limited Apartment Residential District  
**Property Address:** 1160 Camden Ave., Columbus, OH 43201  
**Property Owner:** East Milo Partners, LLC  
**Applicant:** Devco Development Group c/o Domenic Spencer  
**Date of Text:** 11/20/2023  
**Application Number:** Z23-054

**1. INTRODUCTION:** The subject real property is 12.5 +/- acres, located at 1160 Camden Ave., Columbus, Ohio 43201, and known as Franklin County Auditor Tax Parcel Id. No.’s 010-258776, and shall be called (collectively, the “Property”). The Property will consist of (217) units in (3) buildings, parking, leasing office, landscaping, and outdoor amenities. The applicant proposes to re-zone the Property from the M, Manufacturing District to the L-ARLD, Limited Apartment Residential District to allow the development of (217) apartment units on the Property, as also shown on the site plan dated October 17, 2023 (the “Site Plan”).

The Property is in a mixed-use neighborhood with single-unit residential uses to the west and south; and industrial uses to the north and east. The proposed use is consistent with the neighborhood's character and will support future commercial revitalization in the Milo-Grogan community. The Property is ideal for residential uses due to its proximity to I-71, Ohio State University, and public transportation.

**2. PERMITTED USES:** Multi-unit residential uses and any other permitted accessory uses to multi-unit residential uses, all as set forth in Columbus City Code Section 3333.02, AR-12, ARLD, and AR-1 apartment residential uses.

**3. DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards of Chapter 3333, Apartment Residential District, of the Zoning Code shall apply.

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

N/A

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

1. The developer shall fill sidewalk gaps along the south side of Camden Avenue between the Property and Cleveland Avenue.
2. The developer commits to implement and/or contribute toward transportation improvements at the intersection of Cleveland Avenue and Camden Avenue / Leona Avenue, as determined by the Division of Traffic Management upon review and approval of the traffic access study for this application.

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

N/A.

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

N/A

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

N/A

F. Graphics and/or Signage Commitments:

All graphics and signage shall comply with Article 15, Chapter 33 of the Zoning Code, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments:

The Subject Site shall be developed in accordance with the submitted site plan titled “Cornerstone Crossing” dated 11/17/2023. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or when engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or a designee upon submission of the appropriate data regarding the proposed adjustment.

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

**Legislation Number:** 3375-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes the Public Safety Director to enter into a contract with Heritage Health Solutions, Inc. in the amount of \$68,400.00 to process prisoner medical claims as needed by the Division of Police. The scope of services outlined in the City’s Request for Proposal include: processing, negotiating, and auditing prisoner medical claims.

The specifications within the RFQ allows for the option of three (3), one (1) year renewals. Consequently, the term of the contract could potentially be four (4) years. The annual cost for the renewals will be based on a fee schedule established in the RFQ026068.

**BID INFORMATION:** An evaluation committee comprised of representatives from the Division of Police completed a review of the proposals submitted by the vendors to the City in response to a Request for Proposal, RFQ026068, opened on October 26, 2023. There were two response received. One response was from CareWorks and the other was Heritage Health Solutions, Inc. The committee recommended Heritage Health Solutions, Inc as the vendor to award the contract.

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

**CONTRACT COMPLIANCE:** CC0 047074 Vendor will be contract compliant prior to issuing a purchase order.

**Emergency Designation:** Emergency legislation is requested so that the Division of Police may immediately start said contract since the old contract expires on December 15, 2023 and therefore continue these vital and important services without interruption.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$68,400.00 from the 2023 General Fund Budget for processing prisoner medical claims for the Division of Police. Funds are available in the Division's 2023 General Fund Budget.

To authorize the Director of the Department of Public Safety to enter into a contract with Heritage Health Solutions, Inc Services Inc for the Division of Police, for the purpose of processing, negotiating, and auditing prisoner medical claims; and to authorize the expenditure of \$68,400.00 from the General Fund, and to declare an emergency. (\$68,400.00)

**WHEREAS,** the City of Columbus Division of Police needs to enter into a contract with Heritage Health Solutions, Inc for processing, auditing, and negotiating prisoner medical claims, effective December 15, 2023 until December 14, 2024; and,

**WHEREAS,** Heritage Health Solutions, Inc shall process, audit, and negotiate prisoner medical claims as needed by Police Personnel; and,

**WHEREAS,** funds are budgeted in the Division's 2023 General Fund; and,

**WHEREAS,** an evaluation committee comprised of representatives from the Division of Police completed a review of the proposals submitted by the vendors to the City in response to a request for proposal RFQ026068, opened on October 26, 2023, and

**WHEREAS,** the committee recommended that Heritage Health Solutions, Inc be awarded the contract, which can be renewed for two additional one year terms with an option for a third year; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize the Director of Public Safety to enter into contract with Heritage Health Solutions, Inc, for prisoner medical claims administrator to prevent an interruption in service given the current contract is set to expire, thereby preserving the public peace, property, health, safety, and welfare; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of Public Safety be and is hereby authorized to enter into a contract with Heritage Health Solutions, Inc for the purpose of processing, auditing, and negotiating prisoner medical claims for the Division of Police.

**SECTION 2.** That the expenditure of \$68,400.00 or so much thereof as may be needed, is hereby authorized in Fund 1000, object class 3 General Fund-Services per the accounting codes in the attachment to this ordinance.

**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 account 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 and to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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

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**Legislation Number:** 3379-2023

**Drafting Date:** 11/20/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** This legislation authorizes the Director of the Department of Finance and Management to establish a Universal Term Contract (UTC) for the option to purchase Waste Disposal Services with Bear Environmental LLC. This City-wide contract for Hazardous and Non-Hazardous Waste Disposal Services will be used to properly dispose of used oil, paints, lightbulbs, batteries, and other wastes regulated by the Environment Protection Agency (EPA). The term of the proposed option contract would be approximately two years, expiring September 30, 2025, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on July 27, 2023. In addition, the expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002253.

The Purchasing Office advertised and solicited competitive bids in accordance with the relevant provisions of Section 329 relating to competitive bidding (Request for Quotation No. RFQ025232). The RFQ included a twenty percent MBE/WBE participation goal. Three (3) bids were received.

The Purchasing Office is recommending award to the overall lowest, responsive, responsible and best bidder as follows:

Bear Environmental LLC, (MBE) CC# 012276 expires 1/26/2025, All Items, \$1.00  
Total Estimated Annual Expenditure: \$500,000, City-wide

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:** The expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002253. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Director of the Department of Finance and Management to enter into a Universal Term Contract for the option to purchase Hazardous and Non-Hazardous Waste Disposal Services with Bear Environmental LLC; and to authorize the expenditure of \$1.00. (\$1.00)

**WHEREAS,** the Hazardous and Non-Hazardous Waste Disposal Services UTC will provide for the purchase of disposal services used to properly dispose of material regulated by the EPA; and,

**WHEREAS,** the Purchasing Office advertised and solicited formal bids on July 27, 2023 and selected the overall lowest, responsive, responsible, and best bidder; and

**WHEREAS,** it has become necessary in the daily operation of the City to authorize the Director of Finance and Management to enter into a Universal Term Contract for the option to purchase Hazardous and Non-Hazardous Waste Disposal Services; **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 the following Universal Term Contract for the option to purchase Hazardous and Non-Hazardous Waste Disposal Services in accordance with Request for Quotation RFQ025232 for a term of approximately two years, expiring September 30, 2025, with the option to renew for one (1) additional year, as follows:

Bear Environmental LLC, All Items, \$1.00

**SECTION 2.** That the expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002253 of this ordinance 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.

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**Legislation Number:** 3380-2023

**Drafting Date:** 11/20/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## **BACKGROUND**

The Department of Development, Planning Division submits this legislation for approval to incorporate the Brewery District Commission into the Historic Resources Commission. This legislation also seeks to increase the number of commissioners on the Historic Resources Commission from seven (7) commissioners to nine (9) commissioners, to account for the expanded jurisdiction of the Historic Resources Commission resulting from this legislation.

As part of this legislation, the Brewery District will remain a distinct historic district with the same architectural standards that currently apply to the District. Under the legislation, the Historic Resources Commission, rather than the Brewery District Commission, will review applications for Certificates of Appropriateness.

The reduction of the number of historic architectural review commissions will create efficiencies. The proposal to reduce the number of architectural review commissions was originally considered in the City's 2008 Historic Preservation Working Group Final Report (2008). At that time, it was noted that 82% of cities surveyed operate with one historic preservation commission. Reducing the number of architectural review commissions will allow Planning Division staff to focus on broader, equitable development matters, including preservation education and engagement matters for historically African-American neighborhoods.

The Historic Resources Commission was designed to have a citywide focus, is experienced in reviewing proposals from a wide variety of districts and individually listed properties, and knowledgeably applies both citywide and area-specific guidelines for review. Precedent exists for enabling the Historic Resources Commission to assume additional preservation and architectural review authority:

- In October 1987 the North Market District Commission (NMDC) was established, and in 1994 the NMDC was dissolved, with five of the Commission's thirteen members continuing to serve on the Historic Resources Commission.
- With the exception of the Brewery District, all Columbus Historic Districts that have been established since October 1987 (after North Market was established) have come under the purview of the Historic Resources Commission, including Bryden Road Historic District, 18th & East Broad Street Historic District, Indianola Forest Historic District, New Indianola Historic District, Northwood Park Historic District, South High Street Historical Group, and 21st & East Broad Street Historic District.

On November 2, 2023, the Brewery District Commission voted unanimously to support the proposal to dissolve the Brewery District Commission and transfer preservation and review authority to the Historic Resources Commission.

On November 16, 2023, the Historic Resources Commission also voted unanimously to support the proposal.

**FISCAL IMPACT:** This ordinance will have no fiscal impact.

To amend Chapter 3117 of the Columbus City Codes relative to the Historic Resources Commission; to repeal and replace Section 3119.09 of the Columbus City Codes relative to the Brewery District Commission and Historic Resources Commission assumption of jurisdiction over the Brewery District; and to amend Section

3119.21 of the Columbus City Codes relative to the Historic Resources Commission assumption of jurisdiction over the Brewery District.

**WHEREAS**, the Brewery District Commission was established to have authority over historical preservation and architectural review matters within the Brewery District; and

**WHEREAS**, the Historic Resources Commission was established to have authority over historical preservation and architectural review matters over individual properties listed on the Columbus Register of Historic Properties and specific historic areas within the City of Columbus; and

**WHEREAS**, the Brewery District Commission currently receives the lowest number of applications among all the architectural review commissions in the City; and

**WHEREAS**, the Historic Resources Commission has the expertise to oversee historic preservation and architectural review matters for properties located within the Brewery District; and

**WHEREAS**, it is the recommendation of the Department of Development, Planning Division to incorporate the Brewery District Commission into the Historic Resources Commission, and to expand the membership of the Historic Resources Commission from seven (7) members to nine (9) members; and

**WHEREAS**, on November 2, 2023, the Brewery District Commission voted unanimously in an advisory capacity to support the proposal of the Planning Division; and

**WHEREAS**, on November 16, 2023, the Historic Resources Commission voted unanimously in an advisory capacity to support the proposal of the Planning Division; and

**WHEREAS**, the proposal of the Planning Division will lead to greater efficiencies within the Division and facilitate Planning Division staff to focus on other priorities of the Division, including equitable outreach programs to historically African-American neighborhoods, among other priorities; and

**WHEREAS**, it is in the best interest of the City to amend Chapter 3117, repeal and replace Section 3119.09, and amend Section 3119.21 of the Columbus City Codes to dissolve the Brewery District Commission and transfer authority over preservation and architectural review matters in the Brewery District to the Historic Resources Commission, and to expand the membership of the Historic Resources Commission from seven (7) members to nine (9) members; **NOW, THEREFORE**,

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

**SECTION 1.** That Sections 3117.005, 3117.02, 3117.03, and 3117.04 of the Columbus City Codes are hereby amended, per the attachment to this ordinance, which is incorporated herein by reference.

**SECTION 2.** That existing Sections 3117.005, 3117.02, 3117.03, and 3117.04 of the Columbus City Codes are hereby repealed.

**SECTION 3.** That Section 3119.09 of the Columbus City Codes is hereby repealed and replaced, per the attachment to this ordinance.



**SECTION 4.** That Section 3119.21 of the Columbus City Codes is hereby amended, per the attachment to this ordinance.

**SECTION 5.** That existing Section 3119.21 of the Columbus City Codes is hereby repealed.

**SECTION 6.** That this ordinance shall take effect from and after the earliest date permitted by law.

**SECTION 7.** That enforcement of this ordinance shall commence from and after February 1, 2024.

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**Legislation Number:** 3382-2023

**Drafting Date:** 11/20/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance modifies the service agreement with Columbus Next Generation Corporation originally authorized by ordinance 1268-2021 and modified by ordinances 3315-2021, 2279-2022, and 2156-2023 for administration of the program providing exterior home repair to address code violations.

Columbus Next Generation (“NextGen”) has been working with The City of Columbus, Office of the City Attorney, and the Franklin County Environmental Courts to assist homeowners throughout the city that are elderly and/or disabled to repair code violations on their homes that are in the court systems (and have been) since prior to the COVID-19 pandemic. Repairs range from roof repair to new roofs, gutters, painting, sewer line work, porch/foundation work, cutting down dead trees, overgrown high weeds, branches and grass. The homeowners do not have the financial means or physical ability to do such repairs. Their incomes are very limited. In July 2021, City Attorney Zack Klein’s office requested and received grant money in the amount of \$100,000 to start the Home Repair Program. NextGen works with local contractors and encourages minority participation as much as possible. All contractors are licensed, bonded, have BWC insurance and are registered with the City of Columbus as a contractor (in order to pull necessary permits, if needed, for repairs). Once repairs are complete, NextGen contacts the City Code Officer that referred properties to the court system to make sure the repairs meet the requirements to close out the current code violations.

This ordinance authorizes an increase of the available funding by \$220,000.00 from the General Fund, the current contract term date of December 31, 2024, is to remain unchanged.

Columbus Next Generation Corporation, FID: 46-2621229 CC#: CC008637, expires 5/30/2025

Fiscal Impact: Funding is available within the General Fund.

To authorize the City Attorney to modify an existing contract with Columbus Next Generation Corporation; and to authorize an expenditure of \$220,000.00 within the General Fund. (\$220,000.00)

**WHEREAS,** Columbus Next Generation has been working with the City of Columbus Office of the City Attorney and the Franklin County Environmental Courts to assist homeowners throughout the city that are elderly and/or disabled to repair code violations on their homes; and

**WHEREAS**, repairs range from roof repair to new roofs, gutters, painting, sewer line work, porch/foundation work, cutting down dead trees, overgrown high weeds, branches and grass; and

**WHEREAS**, the homeowners do not have the financial means or physical ability to do such repairs; and

**WHEREAS**, it has become necessary in the usual daily operation of the of the City Attorney's Office to authorize a contract modification with Columbus NextGen to continue the exterior home repair program; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Attorney is hereby authorized to modify an existing contract with Columbus Next Generation Corporation, originally authorized by ordinance 1268-2021, by adding \$220,000.00 of available resources.

**SECTION 2.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$220,000.00 within the General Fund, fund 1000, subfund 100010, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That funds are hereby deemed appropriated and expenditures authorized to carry out the purposes of this ordinance 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 3385-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This legislation authorizes the Director of Public Utilities (DPU) to modify a contract with K & M Kleening Service, Inc. to provide janitorial services for Division of Water (DOW) and Division of Sewerage and Drainage (DOSD) facilities. DOW facilities include watershed buildings at Griggs and Hoover reservoirs, Hap Cremean Water Plant, Parsons Avenue Water Plant, DPU and Division of Power (DOP) offices, DOW offices, and DOW meter offices. DOSD facilities include the Southerly Wastewater Treatment Plant, Jackson Pike Wastewater Treatment Plant, Compost Facility and the Sewer Maintenance Operations Center. Other sites may be added in the future.

The work to be performed under the contract includes cleaning services for office areas and industrial-type areas such as storerooms, stock rooms, construction trailers, areas adjacent to garages, kitchens, and break rooms. DOW shall furnish any and all cleaners, disinfectants, waxes, wax stripping materials, wastebasket

liners, toilet seat liners, sanitation products and any other products required to provide the cleaning services.

The Department of Public Utilities solicited competitive bids for janitorial services in accordance with the relevant provisions of Chapter 329 of City Code (RFSQ 022039). One (1) bid was received and publicly opened on June 29, 2022. The sole bidder was K & M Kleening Service, Inc.

This original contract, authorized by Ordinance 2262-2022, went into effect September 21, 2022. It was bid as a one (1) year contract with an option for three (3) additional years contingent on agreement between the City and the Contractor and approval of City Council. The original agreement was only for janitorial services at Division of Sewerage and Drainage (DOSD) facilities. Modification #1 added janitorial services for DOW facilities. The contract has been renewed once.

This proposed modification is required due to the passage of Ordinance 2052-2023, which amended City Code to require all contractors of service contracts to pay their employees the responsible wage for 2024 as set by the Department of Finance and Management. Previously this Contractor was exempt in accordance with City Code, Ordinance 2052-2023 removed all exemptions for new and existing contracts. The funds authorized by this ordinance will provide the necessary funds to pay the wages in accordance with Ordinance 2052-2023 starting 01/01/2024 to the end of the current term 09/24/2024.

**SUPPLIER:**

K & M Kleening Service, Inc. | EIN on file | D365 Vendor #000077 | Expires 2/13/2025 |  
The company holds MBE status.

The Contractor 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:**

\$363,384.27

\$746,156.01 has been spent in 2023

\$90,691.84 was spent in 2022

\$0.00 was spent in 2021

**EMERGENCY DESIGNATION:**

This ordinance is being submitted as an emergency in order to add funds for the period 1/1/2024 through 09/24/2024 to comply with Ordinance 2052-2023, which amended City Code to require all contractors of service contracts to pay their employees the responsible wage for 2024 as set by the Department of Finance and Management.

To authorize the Director of Public Utilities to modify a contract with K & M Kleening Service, Inc. to add janitorial services at various Department of Public Utilities, Division of Water and Division of Sewerage and Drainage facilities; to authorize the expenditure of \$363,384.27 from the Water and Sanitary Sewer Operating

Funds; and to declare an emergency. (\$363,384.27)

**WHEREAS**, the Department of Public Utilities solicited competitive bids for janitorial services in accordance with the provisions of Chapter 329 of City Code through RFSQ 022039; and

**WHEREAS**, one (1) bid was received and opened on June 29, 2022; and

**WHEREAS**, the sole bidder was K&M Kleening Service, Inc., which holds MBE status; and

**WHEREAS**, the contract was bid as a one (1) year contract and permitted three (3) additional renewal years based upon mutual agreement of the parties, availability of budgeted funds, and approval of City Council; and

**WHEREAS**, if other facilities need to be added in the future, a modification would be requested; and

**WHEREAS**, the original agreement was only for janitorial services at DOSD facilities; and

**WHEREAS**, modification #1 added janitorial services at various DOW facilities to the contract; and

**WHEREAS**, renewed #1 renewed the contract for DOSD and DOW facilities through September 24, 2024; and

**WHEREAS**, there is a need to further modify the contract in order to comply with Ordinance 2052-2023, which amended City Code to require all contractors of service contracts to pay their employees the responsible wage for 2024 as set by the Department of Finance and Management; and

**WHEREAS**, the expenditure of \$363,384.27 or so much thereof as may be needed, is hereby authorized in Fund 6000, Water Operating Fund, as \$185,557.32 from object class 03, Services, and in Fund 6100, Sanitary Sewer Operating Fund, as \$177,826.95 from object class 03, Services, per the accounting codes in the attachment to this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water and Division of Sewerage and Drainage, in that it is immediately necessary to authorize the Director of Public Utilities to modify a contract for janitorial services with K & M Kleening Service, Inc., without delay in order to add funds for the period 1/1/2024 through 9/24/2024 to comply with Ordinance 2052-2023, which amended City Code to require all contractors of service contracts to pay their employees the responsible wage for 2024 as set by the Department of Finance and Management, all for the immediate preservation of the public health, peace, property and safety; and  
**NOW, THEREFORE**

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to modify a contract with K & M Kleening Service, Inc., 1846 Federal Parkway, Columbus, Ohio 43207, for janitorial services at various Division of Water and Division of Sewerage and Drainage facilities.

**SECTION 2.** That this contract is in accordance with the relevant provisions of Chapter 329 of City Code.

**SECTION 3.** That the expenditure of \$363,384.27 or so much thereof as may be needed, is hereby authorized in Fund

6000, Water Operating Fund, as \$185,557.32 from object class 03, Services, and in Fund 6100, Sanitary Sewer Operating Fund, as \$177,826.95 from object class 03, Services, per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3387-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes the expenditure of General Funds for the purchase of Conducted Electrical Weapons (CEWs) and maintenance from Axon Enterprise Inc., for the Division of Police in the amount of \$3,000,000.00. The Department of Public Safety, Division of Police, will utilize the existing Universal Term Contract (UTC) established in Ordinance 3225-2023 for the purchase of replacement and new Conducted Electrical Weapons (CEWs) and maintenance. The TASER branded conducted energy device and associated accessories when deployed, will automatically turn on a police officer's body camera.

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

**Bid Information:** The contract, PO321495 was established in accordance with Request for Quotation RFQ019158 and will expire 12/31/2025.

**Emergency Designation:** Emergency legislation is requested to replenish current CEW's and maintenance as soon as possible for on-going training exercises and deployment as a less lethal option.

Contract Compliance Number: CC# 038851, expires 2/9/2024

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$3,000,000.00 from the General Fund and for the purchase of Conducted Electrical Weapons (CEWs) and maintenance from Axon Enterprise Inc. Funds totaling \$3,000,000.00 were budgeted within the 2023 Police General Fund for this expense

To authorize the Director of Finance and Management to issue a purchase order for the purchase of Conducted Electrical Weapons (CEWs) and maintenance with Axon Enterprise Inc. for the Division of Police from Universal Term Contract, to authorize the expenditure of \$3,000,000.00 from the General Fund; and to declare

an emergency. (\$3,000,000.00)

**WHEREAS**, the Division of Police needs to purchase Conducted Electrical Weapons (CEWs) and maintenance; and

**WHEREAS**, Axon Enterprises Inc. has the Universal Term Contract as per ordinance 3225-2023; and

**WHEREAS**, this ordinance authorizes the Finance Director to issue a purchase order to Axon Enterprises Inc. in the amount of \$3,000,000.00 from the General Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Police, in that it is immediately necessary to authorize a purchase order for Conducted Electrical Weapons (CEWs) and maintenance to maintain the supply, maintain the supply for on-going training exercises and maintain the supply for deployment as a less lethal option, all for the immediate preservation of the public peace, property, health, safety and welfare; and **now, therefore**

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

**SECTION 1.** That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order to Axon Enterprise Inc. for the purchase of Conducted Electrical Weapons (CEWs) and maintenance in accordance with the existing Universal Term Contract

**SECTION 2.** That the expenditure of \$3,000,000.00, or so much thereof as may be needed, is hereby authorized in the General Fund in Object Class 03 Subscription/Maintenance per the accounting codes in the spreadsheets attached to this ordinance.

**SECTION 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance and to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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

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**Legislation Number:** 3389-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into a grant agreement with Alpha Rho Lambda Education Foundation, Inc. in support of the Go to High School Go to College program.

The mission of the Alpha Rho Lambda Education Foundation is to leverage resources to provide scholarships and support educational activities of a wide variety. From mentoring and academic support to community education, the Alpha Rho Lambda Education Foundation specifically targets men and boys of color while offering support and programming to all parts of the larger Columbus community.

Go to High School Go to College is a national initiative of Alpha Phi Alpha Fraternity, Inc. The program has maintained a commitment to helping youth, especially boys of color, to be prepared for high school and college. Across the fraternity, chapters are given leverage to create local programming that addresses the needs of young people in their communities. The Alpha Rho Lambda Chapter is doing this work in Columbus. The Alpha Rho Lambda Education Foundation was established in 1979 specifically to partner in this work supporting young people and their mentors.

Go to High School Go to College programming is divided into three areas:

- 1) The Junior Esquires Academy, serving 40 middle school boys across Central Ohio following a Social Emotional Learning (SEL) curriculum. The academy is in its fourth cohort cycle (academic year). The program's four pillars are: Self-Awareness, Social Awareness, Self-Management, and Social-Management.
- 2) Alpha Esquires, serving 56 high school boys across Central Ohio, is a mentoring program celebrating over 35 years of continued service to boys of color. The objectives of the Alpha Esquire program is to engage the participants in leadership development training, career awareness, community involvement, educational planning, communication skills and social awareness.
- 3) Project Alpha, an annual day-long symposium for teenage boys focused on issues of health and responsibility into adulthood. This program is open to all boys 12 - 18 in the Central Ohio area. Approximately 75-100 youth participate each year.

**Fiscal Impact:** Funding is available within the Job Growth subfund.

To authorize the City Clerk to enter into a grant agreement with Alpha Rho Lambda Education Foundation, Inc. in support of the Go to High School Go to College program; and to authorize an appropriation and expenditure of \$10,800.00 within the Job Growth subfund. (\$10,800.00)

**WHEREAS,** the Alpha Rho Lambda Education Foundation provides mentoring and supporting programming to boys of color in Columbus to encourage high school completion and participation in higher education; and

**WHEREAS,** Columbus City Council seeks to support pathways out of poverty including high school completion and matriculation to college; and

**WHEREAS,** According to the Association of Public and Land-grant Universities (APLU), typical earnings for bachelor's degree holders are 84 percent higher than those whose highest degree is a high school diploma; and

**WHEREAS,** it is necessary to authorize the City Clerk to enter into a grant agreement with Alpha Rho Lambda Education Foundation in support of the Go to High School Go to College program, in an amount not to exceed \$10,800.00; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Clerk is hereby authorized to enter into a grant agreement with the Alpha Rho Lambda Education Foundation, Inc. in support of the Go to High School Go to College program.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$10,800.00 in the Job Growth subfund, fund 1000, subfund 100015, to the City Clerk per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$10,800.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance, is hereby authorized in the Job Growth subfund, fund 1000, subfund 100015 per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3390-2023

**Drafting Date:** 11/21/2023

**Version:** 2

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Council Variance Application: CV23-126**

**APPLICANT:** Avenue Partners; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Apartment complex.

**WEST SCIOTO AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is subject to Ordinance #3417-2022 (CV22-029), passed December 12, 2022, which allows an apartment complex development containing 205 units with reductions in the required number of parking spaces, parking lot landscaping, vision clearance, building and parking setbacks, and perimeter yard. This Council variance reduces the maximum number of units to 132, will meet the minimum number of parking spaces required, and includes less variances to the overall development of the site. Staff remain in support of this request as the submitted site plan shows an apartment complex that demonstrates consistency with *Citywide Planning Policies (C2P2) Design Guidelines (2018)*, and does not significantly deviate from the previously approved plan.

To grant a Variance from the provisions of Sections 3312.27, Parking setback line; 3321.05(B)(2), Vision clearance; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **3670 TRABUE RD. (43204)**, to allow reduced development standards for an apartment complex in the AR-2, Apartment Residential District, and to repeal Ordinance #3417-2022, passed December 12, 2022; CV22-029 (Council Variance #CV23-126).



**WHEREAS**, by application #CV23-126, the owner of property at **3670 TRABUE RD. (43204)**, is requesting a Council variance to allow reduced development standards for an apartment complex in the AR-2, Apartment Residential District; and

**WHEREAS**, Section 3312.27, Parking setback line, requires the parking setback line to be 25 feet, while the applicant proposes a setback of 12 feet along Trabue Road; and

**WHEREAS**, Section 3321.05(B)(2), Vision clearance, requires a clear vision triangle of 30 feet at the intersection of Trabue Road and Mapleway Drive, while the applicant proposes a reduced vision clearance triangle of 25 feet; and

**WHEREAS**, Section 3333.18, Building lines, requires a building setback line of 60 feet along the Trabue Road frontage, and 25 feet along the Mapleway Drive frontage, while the applicant proposes a reduced minimum building setback line of 10 feet along the Trabue Road and Mapleway Drive frontages; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a perimeter yard of 25 feet, while the applicant proposes a reduced perimeter yard of 14 feet along the eastern property line, and two feet along the northern property line; and

**WHEREAS**, the West Scioto Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the variance includes a commitment to a site plan that is both consistent with *Columbus Citywide Planning Policies (C2P2) Design Guidelines* and with the previously approved site plan at this location; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; and

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **3670 TRABUE RD. (43204)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3312.27, Parking setback line; 3321.05(B)(2), Vision clearance; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **3670 TRABUE RD. (43204)**, insofar as said sections prohibit a reduced parking setback line from 25 to 12 feet along Trabue Road; a reduced vision clearance triangle from 30 feet to 25 feet at the intersection of Trabue Road and Mapleway Drive; reduced building setback lines from 60 to 10 feet along Trabue Road, and from 25 to 10 feet along Mapleway Drive; and reduced perimeter yard from 25 to 14 feet along the eastern property line, and to two feet along the northern property line; said property being

more particularly described as follows:

**3670 TRABUE RD. (43204)**, being 4.3± acres located at the northeast corner of Trabue Road and Mapleway Drive, and being more particularly described as follows:

Situated in the state of Ohio, County of Franklin, City of Columbus, being part of Virginia Military District Survey Number 544, and being part of a 1.873 acre tract as conveyed to Wright Family Investment, LLC in Instrument Number 202003050033345, a 2.015 acre tract as conveyed to Trabue Links, LLC, an Ohio limited liability company in Instrument Number 202201040001605, and the remainder of a 0.720 acre tract as conveyed to Myflori LLC, an Ohio limited liability company, in Instrument Number 201309040149504, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

**COMMENCING** at an easterly corner of said 1.873 acre tract, also being the intersection of the northwesterly right-of-way line of Trabue Road (width varies) and the southwesterly right-of-way line of a railroad right-of-way tract conveyed to New York Central Lines LLC, in Instrument Number 200212180325201, now known as CSX Transportation Inc., successor by merger, Instrument Number 200507210144733 and Instrument Number 20057210144738 (more fully defined by Instrument Number 200711080194030);

Thence along the northeasterly line of said 1.873 acre tract, also being the southwesterly line of said railroad right-of-way, North 39°16'33" West, 20.79 feet to **THE POINT OF TRUE BEGINNING**;

Thence across said 1.873 acre tract, across said 2.015 acre tract, and across the remainder of said 0.720 acre tract, South 66°35'31" West, 581.57 feet to a point on the southwesterly line of the remainder of said 0.720 acre tract, also being on the northeasterly right-of-way line of Mapleway Drive (50');

Thence along the southwesterly line of the remainder of said 0.720 acre tract and a southwesterly line of said 2.015 acre tract, also along the northeasterly right-of-way line of said Mapleway Drive, North 23°31'42" West, 168.07 feet to a westerly corner of said 2.015 acre tract and the northeasterly corner of the right-of-way of said Mapleway Drive;

Thence along the northwesterly line of said 2.015 acre tract and along a southeasterly line of a 5.020 acre tract conveyed to Scioto, LLC, a Michigan limited liability company in Instrument Number 201309040149504, the following three (3) courses:

North 67°06'23" East, 21.87 feet to a corner;

Along a curve to the right having a delta angle of 47°03'42", a radius of 425.00 feet, an arc length of 349.09 feet, and a chord bearing and distance of North 27°10'50" East, 339.36 feet to a point of tangency;

North 50°42'41" East, 198.70 feet to corner on the westerly line of said railroad right-of-way;

Thence along the northeasterly line of said 2.015 acre tract and along the northeasterly line of said 1.873 acre tract, also along the southwesterly line of said railroad right-of-way, South 39°16'33" East, 416.78 feet to an easterly corner of said 1.873 acre tract;

Thence along the northeasterly line of said 1.873 acre tract and along the southwesterly line of said railway right-of-way, the following two (2) courses:

South 50°43'27" West, 17.00 feet to a corner;

South 39°16'33" East, 33.43 feet to the **POINT OF TRUE BEGINNING**, containing 4.3 acres (189,044 S.F.), more or less.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the AR-2, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**ZONING SITE PLAN CV23-126**," dated November 16, 2023, signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the following traffic-related commitments:

1). Trabue Road right of way totaling sixty (60) feet from centerline shall be conveyed to City of Columbus prior to approval of the Final Site Compliance Plan (FSCP).

2). Site access shall be by ~~right in/right out access on Trabue Road and by~~ full-turning movement access on Mapleway Drive, as depicted on the site plan referenced in this ordinance.

3). The Franklin County Engineer is planning improvements to the intersection of Trabue Road and N. Hague Avenue for construction of a round-about. **Developer shall pay \$44,519.50 as contribution to the cost of the intersection improvement. Payment shall be made prior to approval of the Final Site Compliance Plan (FSCP).** ~~Based on the TIS ("Traffic Impact Study, 3670 Trabue Road Development", dated September 19, 2022, by E.P. Ferris and Associates, Inc.) site traffic contribution to the Trabue Road/N. Hague intersection is estimated at 3.42%, Intersection improvement cost for a round about is estimated to be \$2,490,000. Based on 3.42% traffic contribution, the gross developer contribution shall be \$85,158.00, subject to off set of the contribution by in kind right of way contribution related to intersection improvement with a round about. Any off set to the developer contribution shall be determined prior to approval of the FSCP and the final contribution amount shall be paid in full to Franklin County Engineer prior to approval of the FSCP.~~

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

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

**SECTION 7.** That Ordinance #3417-2022 (CV22-029), passed December 12, 2022, be and is hereby repealed.

Drafting Date: 11/21/2023

Current Status: Passed

Version: 1

Matter Type: Ordinance

**Rezoning Application: Z21-093**

**APPLICANT:** Rambling House Soda; c/o Kim Mikanik, Agent; 1116 West Second Avenue; Columbus, OH 43212.

**PROPOSED USE:** Distillery with eating and drinking establishment and retail.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on May 12, 2022.

**FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 19.25± acre site consists of two undeveloped parcels in the R-2, Residential District and CPD, Commercial Planned Development District. The applicant requests the L-M, Limited Manufacturing District to allow a 5,000 square foot distillery and soda production facility with additional eating and drinking establishment and retail uses on site. The limitation text includes appropriate use restrictions and supplemental development standards that address building and parking setbacks, traffic and pedestrian connectivity, additional landscaping, fencing, and a commitment to develop the site in accordance with the submitted site plans. The requested L-M district is consistent with the *Scioto Southland Area Plan's* (2007) recommendation for "Commercial," "Office," and "Open Space" land uses at this location. With the included limitation text and site plans, staff are supportive of the development as proposed.

To rezone **3075 S. HIGH ST. (43207)**, being 19.25± acres located on the west side of South High Street, 1,160± feet south of Southgate Drive, **From:** R-2, Residential District and CPD, Commercial Planned Development District, **To:** L-M, Limited Manufacturing District (Rezoning #Z21-093).

**WHEREAS**, application #Z21-093 is on file with the Department of Building and Zoning Services requesting rezoning of 19.25± acres from R-2, Residential District and CPD, Commercial Planned Development District, to L-M, Limited Manufacturing District; and

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

**WHEREAS**, the Far South Columbus Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District is consistent with the *Scioto Southland Area Plan's* land use recommendations, and the proposal includes appropriate land use restrictions, supplemental development standards, and a commitment to develop the site as demonstrated on the submitted site plans; 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:

**3075 S. HIGH ST. (43207)**, being 19.25± acres located on the west side of South High Street, 1,160± feet south of Southgate Drive, and being more particularly described as follows:

TRACT 1:

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being a 14.96 acre tract, more or less, in the Southwest Quarter of Section 9, Township 4, Range 22, Congress Lands, deeded to Resource General Corporation in Official Record 2347, Page I-15, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the northeast corner of said 14.96 acre tract in the centerline of South High Street (U.S. 23) (80 feet wide); thence along said center line South 1° 49' West a distance of 371.50 feet to a nail in the centerline of said South High Street at the northeast corner of R.S. Goodfleisch 14.7 acre tract (10-10-52); thence North 83° 58' West along the south line of said 14.96 acre tract a distance of 766.50 feet to an iron pin; thence South 5° 13' West a distance of 31.65 feet to an iron pin; thence North 89° 52' West (passing the centerline of the Columbus Feeder of the Ohio Canal at 666 feet) a distance 781.5 feet to an iron in to the east bank of the Scioto River; thence with said bank North 15° 44' East a distance of 438 feet to an iron pin; thence with said east bank North 13° 8' East 226.50 feet to an iron pin; thence South 81° 29' East (passing the centerline of the Columbus Feeder of the Ohio Canal at 36 feet) a distance of 225 feet to an iron pin; thence South 6° 10' West a distance of 146.75 feet to an iron pin; thence South 83° 30' East a distance of 1210.30 feet to the place of beginning, SUBJECT to all legal highways and to the right, title and interest of the State of Ohio in said Canal:

EXCEPTING therefrom premises deeded to Payless Statins, Inc., in Deed Book 2406, Page 19, Recorder's Office, Franklin County, Ohio, described as follows:

Beginning at a nail in the centerline of South High Street at the southeast corner of the above described 14.96 acre tract; thence North 83° 58' West along the south line of said 14.96 acre tract a distance of 300 feet to an iron pin; thence North 1° 49' East parallel to the centerline of said South High Street a distance of 275 feet to an iron pin; thence South 83° 58' East parallel to the south line of said 14.96 acre tract a distance of 00 feet to a nail in the centerline of said South High Street; thence along centerline of said South High Street a distance of 275 feet to the place of beginning.

Parcel: 010-112265

TRACT 2:

Situated in the State of Ohio, County of Franklin, City of Columbus. Being part of Section 9, Township 4, Range 22, Congress Lands East of the Scioto River and being part of a 11.140 acre (by Auditor) tract conveyed to WXZ Retail Group/South High, LLC, in instrument Number 200703270052468 (except where otherwise noted all records herein cited are on file at the Franklin County Recorder's Office Franklin County, Ohio being more particularly described as follows:

BEGINNING FOR REFERENCE at a point at the centerline intersection of South High Street \*U.S. 23) and Williams Road, as shown on ODOT Right-of-Way Plans S.H. 5 Sec. F, EXP, G (pt.) sheet 2 of 5 dated 1939;

Thence North 19°29'00" East for a distance of 729.71 feet along the centerline of US 2 to a point of curvature:

Thence with a curve to the left having a radius of 2291.83 feet, a delta angle of 19°11'00", chord bearing of

North 09°53'30" East, a chord length of 763.75 feet and an arc length of 767.33 feet, along the centerline of US 23 to a point of tangency;=:

Thence North 00°18'00" East a distance of 29.46 feet along the centerline of US 23 to a MAG nail set said point being the northeast corner of a 0.25 acre tract conveyed to James A. Lowe and Krisann A. Lowe in Official Record 32709 A01 and the southeast corner of the above referenced 11.140 acre (by Auditor) WXZ Retail Group/South High, LLC tract:

Thence North 86°10'47" West for a total distance of 179.68 feet along the common line between said 0.25 acre Lowe tract and said 11.140 acre (by Auditor) tract to MAG nail set at the northwest corner of said 0.25 acre Lowe tract also being a northeast corner of a 15.676 acre tract conveyed to Southway Post No. 144, American Legion, Inc., in Official Record O4641 A12;

Thence South 89°59'02" West for a distance of 621.48 feet along the common line of said 15.676 acre Southway tract and said 11.140 acre (by Auditor) tract to an iron pipe set the TRUE POINT OF BEGINNING;

Thence South 89°17'59" West continuing along said common line for a distance of 675.20 feet to an iron pipe set on the easterly line of the former Columbus Feeder of The Ohio and Erie Canal said pipe set being North 21°31'59" East a distance of 7.83 feet from an angle point in said line, 79.0' left of Station 227+28.41 as shown on Sheet 8 of the Plat of The Columbus Feeder of the Ohio and Erie Canal by The Jennings-Lawrence Company, on file at the Ohio Department of Natural Resources, Division of Parks and Recreation Canal Land Program, said Canal Land being of the State of Ohio by the Canal Land Act of 18255;

Thence along said easterly line the following courses and distances:

North 21°31'59" East, 112.31 feet of an iron pipe set;

North 11°28'46" East, 122.37 feet to a ¾" rebar found in concrete;

North 05°08'32" East, 174.69 feet to an iron pipe set on the north line of the above referenced 11.140 acre (by Auditor) WXA Retail Group/South High, LL tract, the south line of a 13.071 acre tract conveyed to a Resource General Corporation et al in Official Record 02347 115, Official Record 27597 J17 and Official Record 27598 A01:

Thence North 88°36'59" East for a distance of 520.71 feet along the said common line to an iron pipe set to the northwest corner of a proposed 0.231 acre tract, currently under lease to Columbus Cellular Telephone Company, Official Record 17764 F03.

Thence South 03°44'19" West for a distance of 100.40 feet along the westerly line of said proposed 0.231 acre tract to an iron pipe set;

Thence North 88°36'59" East for a distance of 100.40 feet along the south line of said proposed 0.231 acre tract to a point on an east line of the 11.140 acre (by Auditor) WXZ Retail Group/South High, LLC tract, the west line of 2.941 acre tract conveyed to SS South High, LLC in Instrument Number 200406250148053, said point being referenced South 03°44'19" Est at a distance of 100.40 feet from a ¾" iron pipe found at a northeast corner of said 11.140 acre tract (northeast corner of proposed 0.231 acre tract and current Columbus Cellular Telephone Co. lease);

Thence South 03°44'19" West for a distance of 66.40 feet along the west line of said 2.941 acre South High, LLC tract to a ¾" iron pipe found at the southwest corner of said tract;

Thence South 03°44'19" West for a distance of 247.56 feet crossing said 11.140 acre WXZ Retail Group/South High, LLC tract to the TRUE POINT BEGINNING.

Containing 5.683 Acres, more or less.

Parcel: 010-290009

**To Rezone From:** R-2, Residential District and CPD, Commercial Planned Development District.

**To:** L-M, Limited Manufacturing District.

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

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said site plans titled “**RAMBLING HOUSE PRODUCTION FACILITY COMPLEX SHEETS C1.1 & C1.2,**” and text titled, “**LIMITATION TEXT,**” all dated November 17, 2023, and signed by Kim Mikanik, Agent for the Applicant, and the text reading as follows:

**LIMITATION TEXT**

**EXISTING ZONING:** CPD, Commercial Planned Development District (Z10-008) and R2, Residential District (7/21/1958)

**PROPOSED ZONING:** L-M, Limited Manufacturing District

**PROPERTY ADDRESS:** 3075 S. High St, Columbus, OH 43207

**PARCEL(S):** 010-112265, 010-290009

**APPLICANT:** Rambling House Soda, c/o Kim Mikanik, Architect, Create Collaborative LLC, 1116 W. 2nd Ave. Columbus, OH 43212

**PROPERTY OWNER:** City of Columbus, c/o Columbus Land Bank, Contact, John Turner, 845 Parson Ave., Columbus, OH 43206

**DATE OF TEXT:** November 17, 2023

**APPLICATION NUMBER:** Z21-093

**1. INTRODUCTION:** The 19.25 +/- acre site is located on the west side of South High Street, 1,100 +/- feet south of Southgate Drive. The site is zoned R-2, Residential (7/21/1958) and CPD, Commercial (Z10-008). The site is undeveloped. Applicant proposes to rezone the site from CPD and R-2 to L-M to permit development of new 5,000 s.f. distillery and soda production facility which includes a tasting room and event space. In addition to the production facility building there are also two proposed mixed use buildings for prospective tenants (restaurant, recreation and/or retail) in conjunction with and accessory to the production facility and outdoor recreation use on the site. The site abuts property to the north zoned L-AR-12 Residential, south and east zoned C-4 Commercial. The site abuts the Scioto River to the west. The site shall be developed in conjunction with the shared use recreation trail along the Scioto River.

**2. PERMITTED USES:** The permitted uses shall be all uses of Chapters 3351-3356, C-1 Neighborhood Commercial, C-2 Office Commercial District, C-3 Community Scale Commercial and C-4, Regional Scale Commercial District, except the following uses: C-1 newspaper substation, C-2 armory, C-3 motor bus terminal, motel or hotel. In addition, the only proposed permitted use from Chapter 3363, M, Manufacturing District, Section 3363.14 Distilleries.

**3. DEVELOPMENT STANDARDS:** The applicable development standards shall be those standards contained in this development text and Chapter 3356, C-4, Regional Scale Commercial District, of the Columbus City Code.

**A.) Density, Height, Lot and/or Setback commitments:**

- 1). Twenty-five (25) foot parking setback along South High Street.
- 2). Twenty-five (25) foot building setback north and south property lines. Twenty (20) building setback along South High Street.

**B.) Access, Loading, Parking and/or other Traffic related commitments:**

- 1.) Vehicular access to the site shall be by developed access points which include a full-turning movement curb-cut on South High Street.
- 2.) Right-of-way dedication of sixty (60) feet shall be provided from the centerline of South High Street.
- 3.) A minimum five (5) feet wide sidewalk with curb separation from the traveled way shall be provided between the proposed building entrance and the existing sidewalk along South High Street.
- 4.) Pedestrian connections shall be aligned with the stubs being constructed on the property to the north.
- 5.) Consideration will be given and consultation with the Department of Recreation and Parks shall be sought regarding connectivity to the property to the south prior to or during final site compliance review.

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

- 1). There shall be three (3) deciduous trees in the South High Street parking setback.
- 2). A 6 foot high earth mound shall be provided along the north property to provide the required screening per Section 3312.21.
- 3). Existing trees on site shall be protected and healthy trees retained within the right-of-way and in buffer areas of the property. Street trees shall be provided in areas where unhealthy trees may be removed. No building shall be constructed within wetland areas, and vegetation in stream and tributary corridors shall be protected.
- 5). Evergreen trees shall be planted as part of the landscape screening and buffering along the northern property line where it abuts the residential buildings on the adjacent property.

**D.) Building design and/or Interior-Exterior treatment commitments:**

N/A.

**E.) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments:**

N/A

**F.) Graphics and Signage commitments.**

N/A



**G.) Miscellaneous commitments:**

1). Access to the proposed conservation easement and trail at the western edge of the site along the Scioto River shall be provided and retained as shown on the submitted site plan.

2). Development of the site shall be general conformance with the Site Plans titled “Rambling House Production Facility Complex” Sheets C1.1 and C1.2, dated 11/17/2023. The Site Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

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

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**Legislation Number:** 3394-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:**

The City is required to authorize the acquisition and acceptance of any real estate conveyed to the City. This means periodically the City must formally accept certain real estate previously conveyed to the City (defined, collectively as, “Real Estate,” and further described in Sections One (1), and Two (2) of this ordinance), because the Real Estate was not the subject of any previous legislation authorizing the Real Estate’s acquisition and acceptance.

The City is using the Real Estate for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA compliant sidewalks, walkways, bikeways, access, and shared use paths, and associated appurtenances. The Real Estate was recorded in the public land records in the applicable county in the state of Ohio. Additionally, it may be necessary for the City to enter into agreements, as approved by the City Attorney, with the grantors of the Real Estate in order to address any real estate tax or assessment implications associated with the City’s acquisition and acceptance of the Real Estate.

**CONTRACT COMPLIANCE:**

Not applicable.

**FISCAL IMPACT:**

Not applicable.

**EMERGENCY JUSTIFICATION:**

Not applicable.

To formally accept certain real estate conveyed to the City that is being used for various public purposes; and to authorize the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks to enter into any necessary agreements, as approved by the City Attorney's Office, in order to address any real estate tax or assessment issues. (\$0.00)

**WHEREAS**, the City intends to formally accept certain real estate conveyed to the City ("Real Estate"); and

**WHEREAS**, the City intends to use the Real Estate for various public purposes; and

**WHEREAS**, the City intends for the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, Recreation and Parks to enter into any necessary agreements with the grantors of the Real Estate in order to address any real estate tax or assessment implications associated with the Real Estate's acquisition and acceptance; and

**WHEREAS**, the City intends for the City Attorney to preapprove all documents executed by City personnel pursuant to authority granted by this ordinance; **NOW, THEREFORE**,

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

**SECTION 1.** That the City formally accepts the following described real estate previously conveyed to the City and recorded in the public land records of the Recorder's Office, Franklin County, Ohio ("Real Estate"), which is being used for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA compliant sidewalks, walkways, bikeways, access, and shared use paths, and associated appurtenances:

**Grantor(s).....Franklin County Recorder Reference.....(Real Estate)**

1. **SFG Columbus Parsons, LLC:** Ins. 202310030103138 (Stormwater Control Practices Easement)
2. **Homewood Corporation:** 202208220120916 (Parkland Dedication) this was mistakenly listed in Ordinance 3511-2022 as right of way dedication and corrected herein to parkland.
3. **Roby Development, LLC, and The Roby Company Limited Partnership, and Jeffrey A. Roby and Bonnie Jo Roby:** Ins. 202310030103137 (Stormwater Control Practices Easement)
4. **DJ Land Co., Inc.:** Ins. 202310030103135 (Sanitary Sewer Utility Easement)
5. **Megan Vo:** Ins. 202310030103134 (Stormwater Control Practices Easement)
6. **Westbend QOZB, LLC:** Ins. 202309210098587 (Sanitary Sewer Utility Easement)
7. **Alisha Hotel LLC:** Ins. 202309210098581 (Stormwater Control Practices Easement)
8. **Werner D. Rase, Trustee of the Werner D. Rase Revocable Living Trust Dated April 30, 2001:** Ins. 202309210098580 (Stormwater Control Practices Easement)
9. **Werner D. Rase, Trustee of the Werner D. Rase Revocable Living Trust Dated April 30, 2001:** Ins. 202309130094250 (Electrical Utility Easement)
10. **Kendall Park Investment Condominium Association:** Ins. 202309130094249 (Water Utility Easement)
11. **Columbus Holding Group, LLC:** Ins. 202309130094246 (Stormwater Control Practices Easement)

12. **Ebright Road Parent LLC:** Ins. 202309130094245 (Stormwater Control Practices Easement)
13. **Megan Vo:** Ins. 202309130094244 (Sanitary Sewer Utility Easement)
14. **M/I Homes of Central Ohio, LLC:** Ins. 202309130094243 (Parkland dedication)
15. **M/I Homes of Central Ohio, LLC:** Ins. 202309130094242 (Parkland dedication)
16. **Gosula Estates LTD.:** Ins. 202309070091825 (Stormwater Control Practices Easement)
17. **Scott Rettich Leasing, LLC:** Ins. 202309070091824 (Stormwater Control Practices Easement)
18. **Hayden Run Commercial Developers, LLC:** Ins. 202309070091823 (Stormwater Control Practices Easement)
19. **Hilliard 853 LLC:** Ins. 202309070091822 (Stormwater Control Practices Easement)
20. **Ebright Road Parent LLC:** Ins. 202309070091821 (Sanitary Sewer Utility Easement)
21. **Erie Land Co., LLC:** Ins. 202308300089374 (Sidewalk/Shared Use Path Easement)
22. **Erie Land Co., LLC:** Ins. 202308300089082 (Storm Sewer Utility Easement)
23. **Charlie's Corner Livingston LLC:** Ins. 202308300089081 (Stormwater Control Practices Easement)
24. **Jeffrey Phase 6 and 7, LLC:** Ins. 202308280087783 (Stormwater Control Practices Easement)
25. **Jeffrey Place New Community Authority:** Ins. 202308280087782 (Stormwater Control Practices Easement)
26. **Avis Budget Car Rental, LLC:** Ins. 202308280087781 (Sanitary Sewer Utility Easement)
27. **Horizon Science Academy, Inc.:** Ins. 202308280087780 (Sanitary Sewer Utility Easement)
28. **Nationwide Children's Hospital:** Ins. 202308280087779 (Storm and Sewer Utility Easement)
29. **Nationwide Children's Hospital:** Ins. 202308280087778 (Stormwater Control Practices Easement)
30. **State of Ohio:** Ins. 202308280087777 (Sanitary Sewer Utility Easement)
31. **Rich Street Townhomes, LLC:** Ins. 202308210084978 (Sanitary Sewer Utility Easement)
32. **Whistler LLC:** Ins. 202308210084977 (Sanitary Sewer Utility Easement)
33. **United Dairy Farmers, Inc.:** Ins. 202308090080232 (Stormwater Control Practices Easement)
34. **Chick-Fil-A, Inc.:** Ins. 202308090080231 (Stormwater Control Practices Easement)
35. **Horizon Science Academy, Inc.:** Ins. 202308090080230 (Stormwater Control Practices Easement)
36. **Siya Hospitality LLC:** Ins. 202308090080229 (Sanitary Sewer Utility Easement)
37. **Alisha Hotel LLC:** Ins. 202308090080228 (Sanitary Sewer Utility Easement)
38. **Tree of Life Christian Schools:** Ins. 202308010076976 (Sanitary Sewer Utility Easement)
39. **Tree of Life Christian Schools:** Ins. 202308010076975 (Stormwater Control Practices Easement)
40. **GWB Realty, LLC:** Ins. 202308010076974 (Stormwater Control Practices Easement)
41. **WC ECP Edgehill, LLC:** Ins. 202308010076973 (Stormwater Control Practices Easement)
42. **River Park Apartments LLC:** Ins. 202307270075618 (Stormwater Control Practices Easement)
43. **6920 Schieser Farms, LLC:** Ins. 202307270075617 (Water Utility Easement)
44. **River Park Apartments LLC:** Ins. 202307270075614 (Preservation Easement)
45. **6920 Schieser Farms, LLC:** Ins. 202307270075612 (Stormwater Control Practices Easement)
46. **Most Reverend Earl K. Fernandes, Bishop, The Roman Catholic Diocese of Columbus:** Ins. 202307270075611 (Stormwater Control Practices Easement)
47. **Prushing Farms Partners, LLC:** Ins. 202307270075610 (Water Utility Easement)
48. **Columbus STS, LLC:** Ins. 202307270075605 (Stormwater Control Practices Easement)
49. **Prushing Farms Partners, LLC:** Ins. 202307270075603 (Stormwater Control Practices Easement)
50. **Simpson Manufacturing Co., Inc.:** Ins. 202307130069674 (Stormwater Control Practices Easement)
51. **Simpson Manufacturing Co., Inc.:** Ins. 202307130069673 (Preservation Easement)

52. **The Sonshine Christian Academy:** Ins. 202307130069672 (Stormwater Control Practices Easement)
53. **Kentop and Sons, Limited Liability Company:** Ins. 202307130069671 (Sanitary Sewer Utility Easement)
54. **Stelzer Industrial LLC:** Ins. 202307100067525 (Stormwater Control Practices Easement)
55. **PS Mid-West Two, LLC:** Ins. 202307100067524 (Sanitary Sewer Utility Easement)
56. **Westbend QOZB, LLC:** Ins. 202307100067523 (Preservation Easement)
57. **B.B.I. Realty, Incorporated:** Ins. 202307100067522 (Sanitary Sewer Utility Easement)
58. **Three Cousins Limited Partnership:** Ins. 202307100067521 (Sanitary Sewer Utility Easement)
59. **The Board of Education of the Worthington City School District:** Ins. 202307100067520 (Stormwater Control Practices Easement)
60. **Most Reverend Earl K. Fernandes, Bishop, The Roman Catholic Diocese of Columbus:** Ins. 202307050066048 (Stormwater Control Practices Easement)
61. **6730 Prushing Farms, LLC:** Ins. 202307050066047 (Stormwater Control Practices Easement)
62. **LGW STS, LLC:** Ins. 202307050066046 (Public and Private Access Easement for Ingress/Egress and Roadway)
63. **London Groveport STS, LLC:** Ins. 202307050066045 (Public and Private Access Easement for Ingress/Egress and Roadway)
64. **LGW STS, LLC:** Ins. 202307050066044 (Sanitary Sewer Utility Easement)
65. **6730 Prushing Farms, LLC:** Ins. 202307050066043 (Sanitary Sewer Utility Easement)
66. **Solomon Oil Company:** Ins. 202307050066042 (Sanitary Sewer Utility Easement)
67. **Board of County Commissioners of Franklin County, Ohio:** Ins. 202307050066041 (Sidewalk/Shared Use Path Easement)
68. **Groveport Hamilton Square, LLC:** Ins. 202306270063425 (Stormwater Control Practices Easement)
69. **Buckeye XO, LLC:** Ins. 202306270063424 (Sanitary Sewer Utility Easement)
70. **The Rochester Event Center, LLC:** Ins. 202306270063423 (Electrical Utility Easement)
71. **Easton Meadows Apartments LLC:** Ins. 202306270063422 (Stormwater Control Practices Easement)
72. **Fenimore Ltd.:** Ins. 202306270063421 (Perpetual Access Easement for Ingress/Egress)
73. **Fenimore II Ltd.:** Ins. 202306270063420 (Stormwater Control Practices Easement)
74. **Capitol City Baptist Church:** Ins. 202306270063419 (Stormwater Control Practices Easement)
75. **Patton Ohio Investments, LLC:** Ins. 202306270063418 (Preservation Easement)
76. **Patton Ohio Investments, LLC:** Ins. 202306270063417 (Stormwater Control Practices Easement)
77. **Gage Crossing II LLC:** Ins. 202306060055038 (Sanitary Sewer Utility Easement)
78. **YWCA Housing Corporation:** Ins. 202306060055037 (Stormwater Control Practices Easement)
79. **AIP Properties, LLC:** Ins. 202305310052648 (Stormwater Control Practices Easement)
80. **Murfin, Inc.:** Ins. 202305310052647 (Stormwater Control Practices Easement)
81. **GOC Realco LLC:** Ins. 202305310052646 (Sanitary Sewer Utility Easement)
82. **SFG ISF Columbus Stelzer, LLC:** Ins. 202305250050973 (Sanitary Sewer Utility Easement)
83. **Fenimore II Ltd.:** Ins. 202305250050972 (Sanitary Sewer Utility Easement)
84. **Columbus Auto Shredding Inc.:** Ins. 202305250050971 (Stormwater Control Practices Easement)
85. **Stelzer Industrial LLC:** Ins. 202305250050970 (Sanitary Sewer Utility Easement)
86. **Tiffany Flats LLC:** Ins. 202305250050969 (Stormwater Control Practices Easement)
87. **Travelers' Rest Baptist Church:** Ins. 202305250050967 (Stormwater Control Practices Easement)
88. **Avis Budget Car Rental, LLC:** Ins. 202305250050966 (Stormwater Control Practices Easement)

89. **Columbus Holding Group, LLC:** Ins. 202305160047595 (Stormwater Control Practices Easement)
90. **Russian Baptist Church:** Ins. 202305160047594 (Stormwater Control Practices Easement)  
**IIP-OH 2 LLC:** Ins. 202305160047590 (Stormwater Control Practices Easement)
91. **Ohio Power Company:** Ins. 202305160047588 (Stormwater Control Practices Easement)
92. **SpruceCommonsPlus, LLC:** Ins. 202305160047587 (Stormwater Control Practices Easement)
93. **Lower Lights Ministries:** Ins. 202305080044771 (Stormwater Control Practices Easement)
94. **SpruceCommonsPlus, LLC:** Ins. 202305040043410 (Sanitary Sewer Utility Easement)
95. **Easton Place Homes, LLC:** Ins. 202305040043409 (Sanitary Sewer Utility Easement)
96. **MORSO Holdings Co.:** Ins. 202305040043408 (Sanitary Sewer Utility Easement)
97. **Boss Excavating and Grading, Inc.:** Ins. 202304240038864 (Preservation Easement)
98. **Boss Excavating and Grading, Inc.:** Ins. 202304240038863 (Stormwater Control Practices Easement)
99. **0 Outerbelt Street, LLC:** Ins. 202304240038862 (Stormwater Control Practices Easement)
100. **0 Outerbelt Street, LLC:** Ins. 202304240038861 (Stormwater Control Practices, Joint Basin Easement)
101. **0 Outerbelt Street, LLC:** Ins. 202304240038860 (Preservation Easement)
102. **West Broad Senior Housing Limited Partnership:** Ins. 202304200037974 (Preservation Easement)
103. **West Broad Senior Housing Limited Partnership:** Ins. 202304200037973 (Stormwater Control Practices Easement)
104. **Alcohol Drug and Mental Health Board of Franklin County:** Ins. 202304050032207 (Stormwater Control Practices Easement)
105. **Mulby Place Homes LLC:** Ins. 202304050032206 (Electrical Utility Easement)
106. **Goodwill Industries of Central Ohio, Inc.:** Ins. 202304050032205 (Sanitary Sewer Utility Easement)
107. **Capitol City Baptist Church:** Ins. 202303280029148 (Sanitary Sewer Utility Easement)
108. **514 Taylor Avenue QOZB LLC:** Ins. 202303280029147 (Stormwater Control Practices Easement)
109. **Columbus Regional Airport Authority:** Ins. 202303280029146 (Stormwater Control Practices Easement)
110. **Starling Yard Limited Partnership:** Ins. 202303280029145 (Stormwater Control Practices Easement)
111. **Ohio Community Development Finance Fund:** Ins. 202303280029144 (Stormwater Control Practices Easement)
112. **Nellai One Homes LLC:** Ins. 202303280029143 (Water Utility Easement)
113. **Nellai One Homes LLC:** Ins. 202303280029142 (Temporary Construction Easement)
114. **The Retreat at Scioto Creek, L.P.:** Ins. 202210200147015 (Sanitary Sewer Utility Easement)

**SECTION 2.** That the City formally accepts the following real estate previously conveyed to the City that were recorded in the public land records of the Recorder's Office, Delaware County, Ohio ("Real Estate"), which are being used for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA compliant sidewalks, walkways, bikeways, access, and shared use paths, and associated appurtenances.

**Grantor(s).....Delaware County Recorder Reference.....(Real Estate)**

1. **Polaris Car Wash, LLC:** D.B. 2055, Pg. 2095 - 2098 (Temporary Construction Easement)
2. **CBH Properties Columbus II, LLC:** D.B. 2049, Pg. 2576 - 2584 (Stormwater Control Practices Easement)
3. **The Zelle at Polaris, LLC:** D.B. 2046, Pg. 894 - 903 (Stormwater Control Practices Easement)
4. **The Zelle at Polaris, LLC:** D.B. 2046, Pg. 888 - 893 (Preservation Easement)
5. **N.P. Limited Partnership:** D.B. 2044, Pg. 812 - 815 (Storm Sewer Utility Easement)
6. **Polaris MM, LLC:** D.B. 2024, Pg. 2229 - 2238 (Preservation Easement)
7. **Polaris MM, LLC:** D.B. 2024, Pg. 2222 - 2228 (Stormwater Control Practices Easement)

**SECTION 3.** That the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks are authorized to enter into any necessary agreements with the grantors of the Real Estate in order to address any real estate tax or assessment issues.

**SECTION 4.** That the City Attorney is required to preapprove all documents executed by the City pursuant to this ordinance.

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

**Legislation Number:** 3395-2023

**Drafting Date:** 11/21/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance authorizes modifying and extending purchase orders PO231970 and PO336928 to allow for the continuation and completion of the Department of Public Utilities’ PragmaCad system upgrade. There are no additional funds associated with these extensions. Rather, these extensions will ensure access to the balance of funds on both purchase orders through the conclusion of the aforementioned project. These extensions are necessary due to project delays (attributable, in part, to the Covid pandemic). Purchase order PO231970 was originally authorized by Ordinance 1164-2020, which passed on June 15, 2020. This purchase order was subsequently extended by Ordinance 2130-2021, which passed on November 1, 2021, and again by Ordinance 2759-2022, which passed on October 24, 2022. Purchase order PO336928 was established by Ordinance 1466-2022, which passed on June 13, 2022. This purchase order was also extended by Ordinance 2759-2022.

All parties involved with this project (DPU, DoT and CGI) have agreed to extending purchase orders PO231970 and PO336928 through the conclusion of the above-described system upgrade.

**FISCAL IMPACT**

Funds for software maintenance and support services are available and budgeted in the Information Services Operating Fund. No additional funds are required for the extension of the abovementioned purchase orders.

**CONTRACT COMPLIANCE**

CGI Technologies and Solutions, Inc. CC/Vendor ID #009176

Expires: 10/12/2025

**EMERGENCY**

Emergency designation is requested so that the named purchase orders can be extended prior to their year-end expiration date. This will ensure that funds are available to complete the PragmaCad system upgrade.

To authorize the Director of the Department of Technology, on behalf of the Department of Public Utilities, to modify and extend existing agreements with CGI Technologies and Solutions, Inc., through the extension of purchase orders PO231970 and PO336928; to authorize the use of any remaining funds/unspent balance existing on purchase order PO231970 and PO336928; and to declare an emergency. (\$0.00)

**WHEREAS**, the PragmaCad system is the mobile dispatching system for the Department of Public Utilities; and

**WHEREAS**, to ensure continuation and completion of the PragmaCad upgrade project, there is a need to extend existing agreements with CGI Technologies and Solutions, Inc. through the extension of purchase orders PO231970 and PO336928 through the conclusion of the project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to authorize the modification and extension of purchase orders PO231970 and PO336928 to ensure the continuation and completion of the PragmaCad upgrade project and so that the named purchase orders can be extended prior to their year-end expiration date to ensure that funds are available to complete the PragmaCad system upgrade, 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 Technology, on behalf of the Department of Public Utilities, be and is hereby authorized to modify and extend existing agreements with CGI Technologies and Solutions, Inc., through the extension of purchase orders PO231970 and PO336928 through December 31, 2023.

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

**SECTION 3.** That 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 approves nor vetoes the same.

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**Legislation Number:** 3396-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

To authorize the Director of the Department of Neighborhoods to enter into grant agreement with Ours Brothers Keepers in a total amount of up to \$300,000.00 to provide in-school and after-school academic interventions; to authorize the expenditure of up to \$300,000.00 from the general fund; and to declare an emergency. (300,000.00)

**WHEREAS**, MBK grants financially support programs that have shown success under the national My Brother’s Keeper Alliance six key life milestones that research shows are especially predictive for later success, and where interventions can have the greatest impact; and

**WHEREAS**, the Mayor and City Council are committed to the mission and work of My Brother’s Keeper; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Neighborhoods in that it is immediately necessary to authorize the Director to enter into a grant agreement with Ours Brothers Keepers to provide in school and after-school based interventions to ensure that services are available for the remainder of the academic school year, 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 Neighborhoods is hereby authorized to enter into a grant agreement with Ours Brothers Keepers to provide in-school and after-school based interventions in a total amount of up to \$300,000.00 effective December 1, 2023.

**SECTION 2:** That the expenditure of \$300,000.00 or so much thereof as may be needed is hereby authorized in Fund 1000, Dept-Div 48-01, in object class 05 (Grants to Not for Profit Agencies) per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3400-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance authorizes the Board of Health to enter into a contract with K.N.S. Services, Inc. for the purchase and installation of security cameras and related equipment at Columbus Public Health in the amount of \$130,035.95. The service will include removal of existing outdated equipment, and installation of new cameras, workstations, and mounts.

K.N.S. Services currently provides installation, integration, service and support for the Genetec security surveillance system. K.N.S. is the only Unified Elite Genetec Partner in Ohio and as such K.N.S. maintains the



Genetec system licensing and programming. Therefore, due to the proprietary nature of the security software and compatibility of existing security and camera equipment, it is in the best interest of the City to enter into contract with K.N.S. in accordance with the sole source procurement provisions of Columbus City Code.

**CONTRACT COMPLIANCE:**

K.N.S. Services Inc.            Vendor Number #005443            Exp. 2/22/2025

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

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$130,035.95 from the Health Special Revenue Fund for the security camera upgrades at Columbus Public Health.

**EMERGENCY DESIGNATION:** These security camera upgrades at Columbus Public Health are immediately needed improvements due to the condition of the current equipment. In addition, the need for enhanced security at this facility necessitates an emergency designation.

To authorize the Board of Health to enter into contract with K.N.S. Services, Inc. for the purchase and installation of security cameras and related equipment at Columbus Public Health in accordance with the sole source procurement provisions of Columbus City Code; to authorize the expenditure of \$130,035.95 from the Health Special Revenue Fund; and to declare an emergency. (\$130,035.95)

**WHEREAS,** it is in the best interest of the City to enter into a contract with K.N.S Services, Inc. to allow for a single vendor to provide the necessary hardware, software, technical support, and camera equipment replacements for security systems at Columbus Public Health; and

**WHEREAS,** K.N.S. Services currently is the sole provider of installation, integration, service and support for the Genetec security surveillance system and is the only Unified Elite Genetec Partner in Ohio; and

**WHEREAS,** due to the proprietary nature of the security software and compatibility of existing security and camera equipment, it is necessary to enter into this contract with K.N.S. Services, Inc. in accordance with the sole source provisions of Chapter 329 of the Columbus City Code; and

**WHEREAS,** an expenditure of \$130,035.95 or so much there of as may be needed, is necessary for the purchase and installation of security cameras and related equipment at Columbus Public Health; and

**WHEREAS,** an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to authorize the Board of Health to enter into contract with K.N.S. Services, Inc. so this equipment can be put into service as quickly as possible to prevent interruption to, or disruption of, the security of Columbus Public Health, 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 Board of Health is hereby authorized to enter into a contract with K.N.S. Services, Inc. for the purchase and installation of security cameras and related equipment at Columbus Public Health pursuant

to the sole source provisions of City Code, as it is the sole provider of installation, integration, service and support for the Genetec security surveillance system in Ohio.

**SECTION 2.** That the expenditure of \$130,035.95, or so much thereof as may be necessary in regards to the action authorized in SECTION 1, is hereby authorized in the Health Special Revenue Fund 2250 per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3401-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Council Variance Application: CV23-058**

**APPLICANT:** 1659 Franklin, LLC; c/o Sean Mentel, Atty. and Jon Stevenson, Atty.; 250 East Town Street, Suite 200; Columbus, Ohio 43215.

**PROPOSED USE:** Mixed-use development.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Disapproval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of an undeveloped parcel in the AR-3, Apartment Residential District. The site is subject to Ordinance #1970-2019 (CV18-104), which allowed a 102-unit apartment building with an approved site plan. The requested Council Variance will also allow a 102-unit apartment building with a commercial fitness facility and an updated site plan that includes parking on the western side of the property along Oak Street and Kelton Avenue. Variances for parking setback, parking lot landscaping and screening, vision clearance, lot coverage, building lines, and a parking reduction from 162 to 102 parking spaces are included in the request. The site is located within the planning boundaries of the *Near East Area Plan* (2005), which does not contain a specific land use recommendation for this location, but does state that new residential development should be consistent with the existing housing types and densities of the area. Staff continues to support the proposed mixed-use development at this location as it contains the same number of dwelling units as previously approved, includes a commitment to building elevations, and does not introduce an incompatible use to the area.

To grant a Variance from the provisions of Sections 3332.03, AR-3 residential district; 3312.21(A) and (D)(1),

Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(C), Basis of computing area; and 3333.18(F), Building lines, of the Columbus City Codes; for the property located at **1599 OAK ST. (43205)**, to allow mixed-use development with reduced development standards in the AR-3, Residential District, and to repeal Ordinance #1970-2019 (CV18-104), passed July 29, 2019 (Council Variance #CV23-058).

**WHEREAS**, by application #CV23-058, the owner of property at **1599 OAK ST. (43205)**, is requesting a Council variance to allow mixed-use development with reduced development standards in the AR-3, Residential District; and

**WHEREAS**, Section 3333.03, AR-3 apartment residential district use, prohibits commercial uses, while the applicant proposes 2,015 square feet of commercial fitness facility space on the ground floor of the proposed building; and

**WHEREAS**, Section 3312.21(A) and (D)(1), Landscaping and screening, requires 10 parking lot trees for the proposed surface parking lot, with a minimum 4 foot soil radius and 145 square feet of soil area per tree, while the applicant proposes no trees in the parking lot, except for what is depicted on the site plan.

**WHEREAS**, Section 3312.21(D)(1), Landscaping and screening, requires parking lot screening from residentially zoned property be five feet in height, while the applicant proposes no parking lot screening along Kelton Avenue and Oak Street and the eastern side of the property, except for what is depicted on the site plan; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a parking setback line of 25 feet along Kelton Avenue and Oak Avenue, while the applicant proposes a reduced parking setback line of 5 feet from Oak Street and 6 feet from Kelton Avenue, as shown on the site plan; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires that a residential development with four or more dwelling units provide 1.5 parking spaces per unit, or 153 spaces for a 102-unit apartment, and 9 spaces for a 2,015 square foot commercial fitness facility, for a total of 162 spaces, while the applicant proposes 102 spaces; and

**WHEREAS**, Section 3321.05(B)(2), Vision clearance, requires a clear vision triangle of 30 feet by 30 feet at all intersections of the property, while the applicant proposes a reduced vision clearance triangle of 10 feet by 10 feet at Oak Street and Kelton Avenue; and

**WHEREAS**, Section 3333.15(C), Basis of computing area, limits buildings from occupying more than 50 percent of the lot area, while the applicant proposes to increase the lot coverage to 55 percent; and

**WHEREAS**, Section 3333.18(F), Building lines, requires a building line of no less than the average of buildings on contiguous lots, in this case 25 feet, while the applicant proposes a reduced building line of five feet along Oak Street; and

**WHEREAS**, the Near East Area Commission recommends disapproval; and

**WHEREAS**, the City Departments recommend approval because the proposed variance will permit a mixed-use development that is consistent with the previously approved project, and will not add an incompatible

use to the area; and

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

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

**WHEREAS**, the granting of said variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1599 OAK ST. (43205)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That the variances from the provisions of Sections 3332.03, AR-3 residential district; 3312.21(A) and (D)(1), Landscaping and screening; 3312.27, Parking setback line; 3312.49(C), Minimum numbers of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(C), Basis of computing area; and 3333.18(F), Building lines, of the Columbus City Codes; for the property located at **1599 OAK ST. (43205)**, insofar as said sections prohibit a commercial fitness facility in the AR-3, Residential District; with reduced parking lot trees from 10 to zero, except for what is depicted on the site plan; no parking lot screening, except for what is depicted on the site plan; reduced parking setback line from 25 feet to 5 feet along Oak Street and 6 feet along Kelton Avenue; reduced parking from 162 required to 102 provided parking spaces; reduced vision clearance from 30 feet to 10 feet at the intersection of Oak Street and Kelton Avenue; increased lot coverage from 50 to 55 percent; and reduced building setback line from 25 feet to 5 feet along Oak Street; said property being more particularly described as follows:

**1599 OAK ST. (43205)**, being 1.47± acres located at the southeast corner of Oak Street and Kelton Avenue, and being more particularly described as follows:

Situated in State of Ohio, County of Franklin and City of Columbus and more fully described as:

Being all of Lot 16, part of Lot 13 of THOMAS MILLER'S HEIRS, a subdivision of record in Plat Book 4, Page 72, Recorder's Office, Franklin County, Ohio and being part of a 20 feet-wide vacated alley (Ord. No. 934-63) between Lots 16 and 13 and being bounded and more particularly described as follows:

Beginning at an iron pin set at the intersection of the south right-of-way line of Oak Street (50 feet in width) and the east right-of-way line of Kelton Avenue (60 feet in width), said point being the northwest corner of said Lot 16;

Thence South 88°57'47" East, a distance of 428.60 feet, along the south line of said Oak Street and the north line of said Lots 16 and 13 and said vacated alley, to an iron pin found in the west line of a 20 feet-wide alley (running north and south);

Thence South 03°11'49" West, a distance of 153.00 feet, passing an iron pin found at a distant of 148.04, across

said Lot 13 and along the west line of said 20 feet-wide alley, to a railroad spike set in the south line of said Lot 13 and the north line of a 20 feet-wide alley (running east and west);

Thence North 88°57'47" West, a distance of 428.29 feet, along the south line of said Lots 13 and 16 and said vacated alley and the north line of said 20 feet-wide alley, to an iron pin set in the east line of said Kelton Avenue at the southwest corner of said Lot 16;

Thence North 03°13'56" East, a distance of 153.00 feet, along the line common to said Kelton Avenue and Lot 16, to the Point of Beginning, containing 1.505 acres, more or less and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are assumed and used to denote angles only.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

Parcel No.: 010-138164

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an apartment building containing up to 102 units with 2,500 square feet of commercial fitness facility space, or those uses permitted in the AR-3, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**ZONING SITE PLAN**," and "**EXTERIOR ELEVATIONS SHEETS A01 & A02**," all dated November 21, 2023, and signed by Sean Mentel, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed development.

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

**SECTION 6.** That Ordinance #1970-2019 (CV18-104), passed July 29, 2019, be and is hereby repealed.

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**Legislation Number:** 3405-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

City Council established a tax increment financing ("TIF") area pursuant to Ohio Revised Code ("R.C.") Section 5709.40 by Ordinance No. 2356-98 to provide for a 30-year tax increment financing exemption (the "Arena (Offsite) TIF") beginning for tax year 1999 and ending in tax year 2028 to fund public improvements

necessary for the future development needs of the Arena District. The Arena (Offsite) TIF area was subsequently reduced in size by Ordinance Nos. 1719-02, 3166-2019, and 3167-2019. City Council established a tax increment financing (“TIF”) area pursuant to R.C. Section 5709.41 by Ordinance No. 2357-98 to provide for a 30-year tax increment financing exemption (the “Pen Site TIF”) beginning for tax year 1999 and ending in tax year 2028 to fund public improvements necessary for the future development needs of the area within and around the former Ohio Penitentiary. The Arena (Offsite) TIF and the Pen Site TIF each currently generate more than \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42.

In 2019 and 2023, the Ohio General Assembly adopted and then amended R.C. Section 5709.51, which allows City Council to extend the term of a TIF exemption for an additional period of not more than 30 years for certain TIFs such as the Arena (Offsite) TIF and Pen Site TIF that individually generate in excess of \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42 in the calendar year preceding the adoption of the extension amendment ordinance (provided such excess did not occur in any other year prior to the adoption of this Ordinance unless this Ordinance is adopted prior to January 1, 2024), or if City Council determines that the service payments to be made pursuant to R.C. Section 5709.42 by the owner or owners of the parcel or parcels designated in the ordinance or resolution will exceed \$1.5M in any future year. This Ordinance extends the Arena (Offsite) TIF and the Pen Site TIF each for an additional 30-year period, through tax year 2058, in order to provide funding for the additional public improvements necessary to continue to attract equitable development to the Arena District and within and around the former Ohio Penitentiary during that timeframe. In compliance with R.C. Section 5709.51(A)(3), the Columbus City School District will continue to receive all real property taxes it would otherwise receive absent the TIF exemptions and extensions.

#### **Fiscal Impact**

No funding is required for this legislation. The City will continue to forego real property tax revenue that it would have received from the development of the TIF parcels during the extension periods. Instead, the non-school portion of that revenue will be diverted to the appropriate TIF fund.

To amend Ordinance No. 2356-98, as previously amended, and to amend Ordinance No. 2357-98 to adjust the boundaries and to extend the exemption periods an additional thirty years for improvements to certain parcels comprising the Arena (Offsite) TIF and the Pen Site TIF pursuant to Ohio Revised Code Section 5709.51.

**WHEREAS**, Ordinance No. 2356-98, passed by this Council on September 14, 1998 pursuant to Ohio Revised Code (“R.C.”) Section 5709.40(B) (as subsequently amended by Ordinance Nos. 1719-02, 3166-2019, and 3167-2019, collectively, the “Arena (Offsite) TIF Ordinance”), declared improvements to certain parcels of real property that are part of the Arena District (as depicted on Exhibit A attached hereto, the “Arena (Offsite) TIF Parcels”) to be a public purpose, required the owners of such Arena (Offsite) TIF Parcels to make service payments in lieu of taxes and otherwise established a tax increment financing program for those Arena (Offsite) TIF Parcels in the Arena District (the “Arena (Offsite) TIF”); and

**WHEREAS**, Ordinance No. 2357-98, passed by this Council on September 14, 1998 pursuant to Ohio Revised Code (“R.C.”) Section 5709.41 (the “Pen Site TIF Ordinance”), declared improvements to certain parcels of real property that are within and around the former Ohio Penitentiary (as depicted on Exhibit A attached hereto, the “Pen Site TIF Parcels”) to be a public purpose, required the owners of such Pen Site TIF Parcels to make service payments in lieu of taxes and otherwise established a tax increment financing program for those Pen Site TIF Parcels within and around the former Ohio Penitentiary (the “Pen Site TIF”); and

**WHEREAS**, pursuant to R.C. Section 5709.51, this Council may amend the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance to extend, for a period not exceeding 30 additional years, the exemptions from taxation of improvements to the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels granted pursuant to the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance if certain conditions are met; and

**WHEREAS**, the City desires to extend the Arena (Offsite) TIF and Pen Site TIF programs for the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels pursuant to R.C. Section 5709.51, to enable the City to make public improvements that will directly benefit, or improvements as determined by this Council, the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels and continue the job creation and retention activities in the Arena District and within and around the former Ohio Penitentiary, all for the welfare and benefit of the citizens of the City; and

**WHEREAS**, notice has been provided to the Board of Education of the Columbus City School District of the City's intent to pass this Ordinance, within the timeframes under R.C. Section 5709.83; **NOW, THEREFORE**,

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

**SECTION 1.** That in order to clarify the boundaries of the Arena (Offsite) TIF and the Pen Site TIF, Exhibit A to the Arena (Offsite) TIF Ordinance, as previously amended by Ordinance Nos. 1719-02, 3166-2019, and 3167-2019, and Exhibit A of the Pen Site TIF Ordinance, are each hereby repealed and replaced with Exhibit A attached hereto; any parcel for which more than half of its territory is within the boundaries of the Pen Site TIF Parcels as set forth in the Pen Site TIF Ordinance shall be included in the Pen Site TIF rather than the Arena (Offsite) TIF Parcels as set forth in the Arena (Offsite) TIF Parcels and be eligible to be exempt pursuant to the Pen Site TIF Ordinance, as amended herein, including without limitation, Franklin County Tax ID Parcel No. 010-291216; any parcel for which more than half of its territory is within the boundaries of the Arena (Offsite) TIF Parcels as set forth in the Arena (Offsite) TIF Ordinance shall be included in the Arena (Offsite) TIF rather than the Pen Site TIF Parcels as set forth in the Pen Site TIF Parcels and be eligible to be exempt pursuant to the Arena (Offsite) TIF Ordinance, as amended herein, including without limitation, Franklin County Tax ID Parcel No. 010-000266, 010-291850, and 010-291173.

**SECTION 2.** That, as required by R.C. Section 5709.51, this Council finds and determines that service payments made pursuant to R.C. Section 5709.42 by the owners of the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels pursuant to the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance each exceeded one million five hundred thousand dollars in calendar year 2022, and although the service payments made pursuant to R.C. Section 5709.42 by the owners of the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels in other prior individual calendar years did exceed said amount, R.C. Section 5709.51(A)(2) does not require that condition to apply if this Ordinance is adopted prior to January 1, 2024.

**SECTION 3.** That the Arena (Offsite) TIF Ordinance is hereby amended to extend the exemption from taxation of improvements to the Arena (Offsite) TIF Parcels for an additional period of thirty (30) years from the end of the exemption as determined by the original Section 1 of Ordinance No. 2356-98 (the "Arena (Offsite) TIF Extension Period"), for a total of sixty (60) years such that the final tax year of the exemption is tax year 2058. Section 1 of Ordinance No. 2356-98 is hereby repealed and replaced as follows:

~~SECTION 1. That pursuant to and in accordance with the provisions of Section 5709.40, this Council hereby finds and determines that 100% of the increase in true value of the Property subsequent to the effective date of this Ordinance (which increase in true value is hereinafter referred to as the~~

~~“Improvement” as defined in Section 5709.40) is hereby declared to be a public purpose, and shall be exempt from taxation for a period of thirty (30) years commencing on the effective date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42, and 5709.43. This Ordinance does not apply to any property for any period of time it is otherwise exempt from taxation pursuant to Section 5709.12 of the Revised Code.~~

SECTION 1. That pursuant to and in accordance with the provisions of Section 5709.40, this Council hereby finds and determines that 100% of the increase in true value of the Property subsequent to the effective date of this Ordinance (which increase in true value is hereinafter referred to as the “Improvement” as defined in Section 5709.40) is hereby declared to be a public purpose, and shall be exempt from taxation for a period of sixty (60) years commencing on the effective date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42, 5709.43, and 5709.51. This Ordinance does not apply to any property for any period of time it is otherwise exempt from taxation pursuant to Section 5709.12 of the Revised Code.

**SECTION 4.** That the Pen Site TIF Ordinance is hereby amended to extend the exemption from taxation of improvements to the Pen Site TIF Parcels for an additional period of thirty (30) years from the end of the exemption as determined by the original Section 1 of Ordinance No. 2357-98 (the “Pen Site TIF Extension Period”), for a total of sixty (60) years such that the final tax year of the exemption is tax year 2058. Section 1 of Ordinance No. 2357-98 is hereby repealed and replaced as follows:

~~SECTION 1. That pursuant to and in accordance with the provisions of Section 5709.41, this Council hereby finds and determines that 100% of the increase in true value of the Property subsequent to the date the City took title to the Property in October, 1995 (which increase in true value is hereinafter referred to as the “Improvement” as defined in Section 5709.41) is hereby declared to be a public purpose, and shall be exempt from taxation for a period of thirty (30) years commencing on the effective date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.41, 5709.42, and 5709.43. This Ordinance does not apply to any property for any period of time it is otherwise exempt from taxation pursuant to Section 5709.12 of the Revised Code.~~

SECTION 1. That pursuant to and in accordance with the provisions of Section 5709.41, this Council hereby finds and determines that 100% of the increase in true value of the Property subsequent to the date the City took title to the Property in October, 1995 (which increase in true value is hereinafter referred to as the “Improvement” as defined in Section 5709.41) is hereby declared to be a public purpose, and shall be exempt from taxation for a period of sixty (60) years commencing on the effective date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.41, 5709.42, 5709.43, and 5709.51. This Ordinance does not apply to any property for any period of time it is otherwise exempt from taxation pursuant to Section 5709.12 of the Revised Code.

**SECTION 5.** That, pursuant to R.C. 5709.51(A)(3), the Columbus City School Districts shall continue to receive compensation from the county equal in value to the amount of taxes that would be payable to the school district if the improvements to the Arena (Offsite) TIF Parcels and the Pen Site TIF Parcels had not been exempted from taxation for the Arena (Offsite) TIF Extension Period and the Pen Site TIF Extension Period.

**SECTION 6.** That, pursuant to R.C. Section 5709.51(B), this Council hereby authorizes the Director of the Department of Development, the City Clerk, or other appropriate officers of the City to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.



**SECTION 7.** That City Council expressly reserves the right to repeal this Ordinance should the City and NWD Investments, LLC fail to enter into an amendment (to the Amended and Restated TIF Reimbursement Agreement dated October 31, 2019 authorized by Ordinance 2043-2019) that will govern the terms and conditions relating to the use and distribution of the service payments generated during the Arena (Offsite) TIF Extension Period and the Pen Site TIF Extension Period.

**SECTION 8.** That, except as provided herein, all other provisions of the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance shall remain in full force and effect; City officials are further authorized to provide such information and to execute, certify, or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this Ordinance.

**SECTION 9.** That this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 3406-2023

**Drafting Date:** 11/22/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Background:** Ordinance No. **2043-2019**, as amended by Ordinance No. **2932-2021**, authorized the Director of the Department of Development to execute the Amended and Restated TIF Reimbursement Agreement dated as of October 31, 2019 (the “Original Agreement”) relating to certain tax increment financing (“TIF”) areas within the City’s Arena District. The General Assembly enacted and amended Revised Code (“R.C.”) Section 5709.51 in 2019 and 2023, which allows municipal legislative authorities to extend TIFs with annual service payments of at least \$1.5 million in a preceding calendar year for an additional thirty-year period. Certain TIFs within the Arena District under the Original Agreement meet this threshold. The developer that utilizes those TIFs with the City pursuant to the Original Agreement has requested that the two of those TIFs under the Original Agreement to be extended for an additional 30-year period in order to provide for the funding of additional public improvements for the continued development of the Arena District.

The Department of Development has submitted for City Council consideration ordinances to authorize thirty-year extensions for those two TIFs pursuant to R.C. Section 5709.51. The purpose of this Ordinance is to amend and restate the Original Agreement by authorizing the execution of the Second Amended and Restated TIF Reimbursement Agreement (the “Second Agreement”) with the developer in order to fully implement all of the terms and conditions of this Ordinance and the Second Agreement, including but not limited to: (i) govern the terms and conditions of the extension revenues, (ii) provide for the use of additional TIF revenue for projects as identified and determined by the City, (iii) provide the City relief as to its capital improvement budget commitment, (iv) provide for the collection of the City’s economic development fees, (v) provide for the inclusion of minority and women owned businesses for related work, and (vi) make other technical modifications. This Ordinance will appropriate, transfer, and expend funds pursuant to the Second Agreement.

This Ordinance will also authorize one or more Housing Development Agreements providing for workforce housing commitments from the developer.

**Fiscal Impact**

The City is authorizing the appropriation and expenditure of the service payments in lieu of taxes and property tax rollback payments to be deposited in Fund 4404 and Fund 4405 as a result of the exemption extension authorization provided by certain ordinances submitted by the Department of Development for City Council consideration pursuant to the Second Amended and Restated TIF Reimbursement Agreement authorized by this Ordinance. The City is also authorizing the appropriation and transfer of the service payments in lieu of taxes and property tax rollback payments deposited in Funds 4404, 4405, 7415, 7416, 7470, 7471, 7407, 7409, 7411, and 7427 to a new fund(s) or project accounts within these funds established by this Ordinance in an amount equal to 30% of the annual service payments in lieu of taxes and property tax rollback payments for the TIFs under the Second Amended and Restated TIF Reimbursement Agreement. The City is similarly authorizing the appropriation and yearly transfer of \$5,000.00 per each outstanding TIF in the Second Amended and Restated TIF Reimbursement Agreement during the term of such agreement from the service payments in lieu of taxes and property tax rollback payments deposited or to be deposited in Funds 4404, 4405, 7415, 7416, 7470, 7471, 7407, 7409, 7411, and 7427 to Fund 2229.

To authorize the Director of the Department of the Development to amend and restate the Amended and Restated TIF Reimbursement Agreement dated as of October 31, 2019 authorized by Ordinance No. **2043-2019**, as amended by Ordinance No. **2932-2021**, and to execute the Second Amended and Restated TIF Reimbursement Agreement with NWD Investments, LLC, relating to the extension of certain tax increment financing areas within the Arena District; to authorize the Director of the Department of the Development to enter into one or more housing development agreements with NWD Investments, LLC; and to authorize the appropriation, transfer, and/or expenditure of the service payments in lieu of taxes and property tax rollback payments from the TIFs under the Second Amended and Restated TIF Reimbursement Agreement.

**WHEREAS**, Ordinance No. 2356-98, passed by this Council on September 14, 1998 pursuant to Ohio Revised Code (“R.C.”) Section 5709.40 (as subsequently amended by Ordinance Nos. 1719-02, 3166-2019, and 3167-2019, collectively, the “Arena (Offsite) TIF Ordinance”), declared improvements to certain parcels of real property that are part of the Arena District (the “Arena (Offsite) TIF Parcels”) to be a public purpose, required the owners of such Arena (Offsite) TIF Parcels to make service payments in lieu of taxes (the “Arena (Offsite) TIF Service Payments”) and otherwise established a tax increment financing program for those Arena (Offsite) TIF Parcels in the Arena District (the “Arena (Offsite) TIF”); and

**WHEREAS**, Ordinance No. 2357-98, passed by this Council on September 14, 1998 pursuant to R.C. Section 5709.40 (the “Pen Site TIF Ordinance”), declared improvements to certain parcels of real property that are within and around the former Ohio Penitentiary (the “Pen Site TIF Parcels” and together with the Arena (Offsite) TIF Parcels, the “Parcels”) to be a public purpose, required the owners of such Pen Site TIF Parcels to make service payments in lieu of taxes (the “Pen Site TIF Service Payments” and together with the Arena (Offsite) TIF Service Payments, the “Original Service Payments”) and otherwise established a tax increment financing program for those Pen Site TIF Parcels within and around the former Ohio Penitentiary (the “Pen Site TIF”); and

**WHEREAS**, the City and NWD Investments, LLC (the “Developer”) entered into the Amended and Restated TIF Reimbursement Agreement dated as of October 31, 2019 (the “Original Agreement”) pursuant to Ordinance No. **2043-2019**, as amended by Ordinance No. **2932-2021**, to provide funding for public improvements necessary for the continued development of the Arena District and the surrounding areas of the Arena (Offsite) TIF and Pen Site TIF; and

**WHEREAS**, City Council by Ordinance No. **1555-2017** passed June 19, 2017 determined, pursuant to Section 6 of House Bill 384 enacted by the 131st General Assembly, that satisfactory provision had been made for the public improvement needs of the Arena (Offsite) TIF Parcels; and

**WHEREAS**, this Council further determined that certain public improvements identified generally on Exhibit B of Ordinance No. **1555-2017** (the “Neighborhood Public Improvements”) will be in support of urban redevelopment within the meaning of R.C. Section 5709.41; and

**WHEREAS**, pursuant to R.C. Section 5709.51, this Council may amend the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance to extend, for a period not exceeding 30 additional years, the exemption from taxation of improvements to the Parcels granted pursuant to the Arena (Offsite) TIF Ordinance and the Pen Site TIF Ordinance if certain conditions are met; and

**WHEREAS**, the Developer has requested the City to extend the exemption of the Parcels pursuant to R.C. Section 5709.51, to enable the Developer to make public improvements that will directly benefit the Parcels and to enable the City to make public improvements that will directly benefit the Parcels or for the Neighborhood Public Improvements and continue the job creation and retention activities in the Arena District or in the City, all for the welfare and benefit of the citizens of the City; and

**WHEREAS**, the Original Agreement limits the City the opportunity under certain conditions to utilize only 20% of the sum from the Original Service Payments plus those service payments in lieu of taxes required by Ordinance Nos. 2092-01, 2093-01, 1648-2016, 3166-2019, 3167-2019, 3169-2019, and 3170-2019, as each ordinance may have been amended, (the “New Service Payments”) for TIF eligible projects at the City’s direction; and

**WHEREAS**, as a benefit to the City and its residents, the Developer has offered to amend and restate the Original Agreement to provide that the City has the right to retain 30% of the sum of the annual Original Service Payments plus the New Service Payments to be utilized for eligible projects within the Arena District and for the Neighborhood Public Improvements as directed by the City; and

**WHEREAS**, in the Original Agreement, the City committed to invest \$5 million over four consecutive years from the City’s capital improvement budget (the “Public Infrastructure Commitment”) toward the costs of public infrastructure improvements near Vine Street and Neil Avenue, which the City has provided the first \$10 million pursuant Ordinance Nos. **2061-2022** and **3425-2022**; and

**WHEREAS**, in recognition of the additional Original Service Payments to be generated during the extension periods, the Developer has agreed as a benefit to the City to relieve the City of the obligation to provide the remaining \$10 million of the Public Infrastructure Commitment; and

**WHEREAS**, any outstanding or future costs that were to be incurred and repaid by the Public Infrastructure

Commitment will be reimbursable pursuant to the amendment and restatement of the Original Agreement from the Original Service Payments and the New Service Payments including those service payments in lieu of taxes to be added to the amendment and restatement of the Original Agreement in the future; and

**WHEREAS**, as a further benefit to the City and its residents, in order to ensure opportunities for qualified minority and women-owned businesses within the City to participate in projects within the Arena District, the Developer has offered to use strong good faith efforts to award at least 30% (in total value) of design and construction contracts to such City determined qualifying minority and women-owned businesses for projects whose costs will be reimbursed pursuant to the amended and restated Original Agreement; and

**WHEREAS**, in order to provide for additional housing opportunities for low and moderate income families in the Arena District as a further benefit to the City and its residents, the Developer has offered to cause ten percent of the residential units constructed on property currently owned by the Developer or its affiliates within any of the TIFs included under the amended and restated Original Agreement to be affordable to households earning 80% of area median income for all unit types and an additional ten percent of those same residential units to be affordable to households earning 100% of area median income for all unit types, with such commitment to be memorialized in one or more written housing development agreements between the City and the Developer (“Housing Development Agreements”); and

**WHEREAS**, in consideration of City Council’s approval of the TIF extensions, and in order to provide for the foregoing benefits to the City and its residents (collectively, the “City Benefits”), the City and the Developer desire to amend and restate the Original Agreement and enter into the Second Amended and Restated TIF Agreement (the “Second Agreement”) and the Housing Development Agreements to provide for the Developer’s commitment to provide such City Benefits and to govern the payments and uses of TIF revenue generated by the TIF extensions; **NOW, THEREFORE**,

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

**SECTION 1.** That this Council hereby authorizes the Director of the Department of Development, or his or her designee (collectively, the “Director”), for and in the name of the City, to execute the Second Agreement along with any changes or amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director and the City Attorney, provided that the approval of such changes and amendments thereto by the Director, and the character of those changes and amendments as not being substantially adverse to the City, shall be evidenced conclusively by the Director’s execution and delivery thereof.

**SECTION 2.** That the Director, for and in the name of the City, is authorized to enter into one or more Housing Development Agreements with the Department of Development along with any changes or amendments thereto not inconsistent with this ordinance and not substantially adverse to the City and which shall be approved by the Director and the City Attorney, provided that the approval of such changes and amendments thereto, and the character of those changes and amendments not being substantially adverse to the City, shall be evidenced conclusively by the Director’s execution and delivery thereof.

**SECTION 3.** That the Director or other appropriate officers of the City, for and in the name of the City, are authorized to execute with the Developer or its designee any subsequent agreements and instruments as

contemplated in the Second Agreement along with any changes, amendments, modifications, or supplements thereto not inconsistent with this Ordinance or the Second Agreement and not substantially adverse to the City (collectively, the “Subsequent Agreements”), and take all actions as may be necessary to implement the transactions contemplated by the Second Agreement and any Subsequent Agreements, and which shall be approved by either the Director or other appropriate officer of the City and the City Attorney, provided that the approval of such Subsequent Agreements and transactions by the Director or other appropriate officer of the City, and the character of those Subsequent Agreements and transactions not being substantially adverse to the City, shall be evidenced conclusively by the Director’s or other appropriate officer’s execution and delivery thereof.

**SECTION 4.** That the Original Service Payments deposited into Fund 4404 and Fund 4405 as a result of the TIF exemption extension authorization submitted for City Council consideration shall be deemed appropriated for the purposes set forth in the Second Agreement and authorized to be expended therefrom in accordance with the Second Agreement, and the City Auditor is authorized to make payments to the Developer or its designee from such Original Service Payments described herein within Fund 4404 and Fund 4405 in accordance with the Second Agreement upon order of the Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 5.** That commencing with the timeframe in the Second Agreement, and thereafter subject to the authorization of the Director, the City Auditor is authorized to appropriate and make annual transfers as funds are received in Funds 4404, 4405, 7415, 7416, 7470, 7471, 7407, 7409, 7411, and 7427 to a new fund(s) or project accounts within those funds established by the City Auditor for the purpose of holding up to a maximum of 30% annually of the sum from the Original Service Payments plus the New Service Payments.

**SECTION 6.** That subject to the authorization of the Director, the City Auditor is authorized to appropriate and make annual transfers as funds are received in Funds 4404, 4405, 7415, 7416, 7470, 7471, 7407, 7409, 7411, and 7427 to Fund 2229 for the “City TIF Administrative Fee,” as that term is further described in the Second Agreement and is currently \$5,000.00 per each outstanding TIF included in the Second Agreement pursuant to this Ordinance and Ordinance 3169-2022.

**SECTION 7.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance and the Second Agreement, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 8.** That the City Auditor is authorized to establish such accounting codes, as necessary, to make any accounting changes to revise the funding source for all agreements, contracts, or modifications associated with this Ordinance, or the transactions contemplated by the Second Agreement.

**SECTION 9.** That the City Auditor is authorized to transfer the unencumbered balance in a project account or subfund 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 10.** That this ordinance shall take effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 3407-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Background**

City Council established a tax increment financing (“TIF”) area pursuant to Ohio Revised Code (“R.C.”) Section 5709.40(B) by Ordinance No. 2179-01 to provide for a 30-year tax increment financing exemption (the “Morse Road TIF”) beginning for tax year 2004 and ending in tax year 2033 to fund public infrastructure improvements necessary for the future development needs of the Morse Road corridor in Northland. The Morse Road TIF currently generates more than \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42. In 2019 and 2023, the Ohio General Assembly adopted and then amended R.C. Section 5709.51, which allows City Council to extend the term of a TIF exemption for an additional period of not more than 30 years for certain TIFs like the Morse Road TIF that generates in excess of \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42 in the calendar year preceding the adoption of the extension amendment ordinance (provided such excess did not occur in any other year prior to the adoption of this Ordinance unless the ordinance is adopted prior to January 1, 2024), or if City Council determines that the service payments to be made pursuant to R.C. Section 5709.42 by the owner or owners of the parcel or parcels designated in the ordinance or resolution will exceed \$1.5 million in any future year. This Ordinance extends the Morse Road TIF for an additional 30-year period through tax year 2063, in order to provide funding for the additional public infrastructure improvements necessary to continue to attract equitable development to the Morse Road corridor in the Northland area during those timeframes. In compliance with R.C. Section 5709.51(A)(3), the Columbus City School District and Westerville City School District will continue to receive all real property taxes they would otherwise receive absent the TIF exemptions and extensions.

### **Fiscal Impact**

No funding is required for this legislation. The City will continue to forego real property tax revenue that it would have received from the development of the TIF parcels during the extension period. Instead, the non-school portion of that revenue will be diverted to the appropriate TIF fund.

To amend Ordinance No. 2179-01, to extend the exemption period an additional thirty-years for improvements to certain parcels comprising the Morse Road TIF pursuant to Ohio Revised Code Section 5709.51; and to repeal and replace the authorized list of public infrastructure improvements attached as Exhibit B to Ordinance No. 2179-01.

**WHEREAS**, Ordinance No. 2179-01, passed by this Council on December 17, 2001 pursuant to Ohio Revised Code (“R.C.”) Section 5709.40(B) (the “Morse Road TIF Ordinance”), declared improvements to certain parcels of real property that are along the Morse Road corridor in Northland (the “Morse Road TIF Parcels”) to be a public purpose, required the owners of such Morse Road TIF Parcels to make service payments in lieu of taxes and otherwise established a tax increment financing program for those Morse Road TIF Parcels within

and around the Morse Road corridor of Northland (the “Morse Road TIF”); and

**WHEREAS**, pursuant to R.C. Section 5709.51, this Council may amend the Morse Road TIF Ordinance to extend, for a period not exceeding 30 additional years, the exemptions from taxation of improvements to the Morse Road TIF Parcels granted pursuant to the Morse Road TIF Ordinance if certain conditions are met; and

**WHEREAS**, the City desires to extend the Morse Road TIF program for the Morse Road TIF Parcels pursuant to R.C. Section 5709.51, to enable the City to make public infrastructure improvements, as described in Exhibit B, attached hereto, that will directly benefit respectively the Morse Road TIF Parcels and continue the job creation and retention activities within and around the Morse Road corridor of Northland, all for the welfare and benefit of the citizens of the City; and

**WHEREAS**, notice has been provided to the Board of Education of the Columbus City School District and the Westerville City School District of the City’s intent to pass this Ordinance; **NOW, THEREFORE**,

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

**SECTION 1.** That, as required by R.C. Section 5709.51, this Council finds and determines that service payments made pursuant to R.C. Section 5709.42 by the owners of the Morse Road TIF Parcels pursuant to the Morse Road TIF Ordinance exceeded one million five hundred thousand dollars in calendar year 2022, and although the service payments made pursuant to R.C. Section 5709.42 by the owners of the Morse Road TIF Parcels in other prior individual calendar years did exceed said amount, R.C. Section 5709.51(A)(2) does not require that condition to apply if this Ordinance is adopted prior to January 1, 2024.

**SECTION 2.** That the Morse Road TIF Ordinance is hereby amended to extend the exemption from taxation of improvements to the Morse Road TIF Parcels for an additional period of thirty (30) years from the end of the exemption as determined by the original Section 9 of Ordinance No. 2179-01 (the “Morse Road TIF Extension Period”), for a total of sixty (60) years such that the final tax year of the exemption is tax year 2063. Section 9 of Ordinance No. 2179-01 is hereby repealed and replaced as follows:

~~**SECTION 9.** The Exemption granted in this Ordinance shall commence on the Effective Date of this Ordinance shall end no later than 30 years from the Effective Date of this Ordinance.~~

**SECTION 9.** The Exemption granted in this Ordinance shall commence on the Effective Date of this Ordinance and shall end no later than sixty (60) years from the Effective Date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.41, 5702.42, 5079.43, and 5709.51.

**SECTION 3.** That Exhibit B to Ordinance No. 2179-01 is hereby repealed and replaced with Exhibit B, attached hereto, to add improvements to the list of public infrastructure improvements that may be funded from the service payments of the Morse Road TIF Parcels, and all references to the “Public Improvements” in Ordinance No. 2179-01 shall refer to Exhibit B attached hereto.

**SECTION 4.** That, pursuant to R.C. 5709.51(A)(3), the Columbus City School District and Westerville City School District shall continue to receive compensation from the county equal in value to the amount of taxes that would be payable to the school district if the improvements to the Morse Road TIF Parcels had not been exempted from taxation for the Morse Road TIF Extension Period.

**SECTION 5.** That, pursuant to R.C. Section 5709.51(B), this Council hereby authorizes the Director of the Department of Development, the City Clerk, or other appropriate officers of the City to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.

**SECTION 6.** That, except as provided herein, all other provisions of the Morse Road TIF Ordinance shall remain in full force and effect; City officials are further authorized to provide such information and to execute, certify, or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this Ordinance.

**SECTION 7.** That this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 3408-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter:** Ordinance

**Type:**

### **Background**

City Council established a tax increment financing (“TIF”) area pursuant to Ohio Revised Code (“R.C.”) Section 5709.40(B) by Ordinance No. 1786-00 to provide for a 30-year tax increment financing exemption (the “Brewery District TIF”) beginning for tax year 2001 and ending in tax year 2030 to fund public infrastructure improvements necessary for the future development needs of the Brewery District. The Brewery District TIF currently generates more than \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42. In 2019 and 2023, the Ohio General Assembly adopted and then amended R.C. Section 5709.51, which allows City Council to extend the term of a TIF exemption for an additional period of not more than 30 years for certain TIFs like the Brewery District TIF that individually generate in excess of \$1.5 million per year in service payments made pursuant to R.C. Section 5709.42 in the calendar year preceding the adoption of the extension amendment ordinance (provided such excess did not occur in any other year prior to the adoption of this Ordinance unless the ordinance is adopted prior to January 1, 2024), or if City Council determines that the service payments to be made pursuant to R.C. Section 5709.42 by the owner or owners of the parcel or parcels designated in the ordinance or resolution will exceed \$1.5 million in any future year. This Ordinance extends the Brewery District TIF for an additional 30-year period through tax year 2060, in order to provide funding for the additional public infrastructure improvements necessary to continue to attract equitable development to the Brewery District during those timeframes. In compliance with R.C. Section 5709.51(A)(3), the Columbus City School District will continue to receive all real property taxes it would otherwise receive absent the TIF exemption and extension.

### **Fiscal Impact**

No funding is required for this legislation. The City will continue to forego real property tax revenue that it would have received from the development of the TIF parcels during the extension period. Instead, the non-school portion of that revenue will be diverted to the appropriate TIF fund.



To amend Ordinance No. 1786-00 to extend the exemption period an additional thirty-years for improvements to certain parcels comprising the Brewery District TIF pursuant to Ohio Revised Code Section 5709.51; and to repeal and replace the authorized list of public infrastructure improvements attached as Exhibit B to Ordinance No. 1786-00.

**WHEREAS**, Ordinance No. 1786-00, passed by this Council on July 30, 2000 pursuant to Ohio Revised Code (“R.C.”) Section 5709.40(B) (the “Brewery District TIF Ordinance”), declared improvements to certain parcels of real property that are part of the Brewery District (the “Brewery District TIF Parcels”) to be a public purpose, required the owners of such Brewery District TIF Parcels to make service payments in lieu of taxes and otherwise established a tax increment financing program for those Brewery District TIF Parcels in the Brewery District (the “Brewery District TIF”); and

**WHEREAS**, pursuant to R.C. Section 5709.51, this Council may amend the Brewery District TIF Ordinance , for a period not exceeding 30 additional years, the exemption from taxation of improvements to the Brewery District TIF Parcels granted pursuant to the Brewery District TIF Ordinance if certain conditions are met; and

**WHEREAS**, the City desires to extend the Brewery District TIF program for the Brewery District TIF Parcels pursuant to R.C. Section 5709.51, to enable the City to make public infrastructure improvements, as described in Exhibit B, attached hereto, that will directly benefit respectively the Brewery District TIF Parcels and continue the job creation and retention activities in the Brewery District, all for the welfare and benefit of the citizens of the City; and

**WHEREAS**, notice has been provided to the Board of Education of the Columbus City School District of the City’s intent to pass this Ordinance; **NOW, THEREFORE**,

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

**SECTION 1.** That, as required by R.C. Section 5709.51, this Council finds and determines that service payments made pursuant to R.C. Section 5709.42 by the owners of the Brewery District TIF Parcels pursuant to the Brewery District TIF Ordinance exceeded one million five hundred thousand dollars in calendar year 2022, and although the service payments made pursuant to R.C. Section 5709.42 by the owners of the Brewery District TIF Parcels in other prior individual calendar years did exceed said amount, R.C. Section 5709.51(A) (2) does not require that condition to apply if this Ordinance is adopted prior to January 1, 2024.

**SECTION 2.** That the Brewery District TIF Ordinance is hereby amended to extend the exemption from taxation of improvements to the Brewery District TIF Parcels for an additional period of thirty (30) years from the end of the exemption as determined by the original Section 5 of Ordinance No. 1786-00 (the “Brewery District TIF Extension Period”), for a total of sixty (60) years such that the final tax year of the exemption is tax year 2060. Section 5 of Ordinance No. 1786-00 is hereby repealed and replaced as follows:

~~**SECTION 5.** The exemption granted in this Ordinance shall commence on the effective date of this Ordinance and shall terminate on the earlier of the following dates: (a) the date the Public Improvements are paid in full from the Brewery District Tax Equivalent Fund; (b) within thirty (30) years from the effective date of this Ordinance.~~

SECTION 5: The exemption granted in this Ordinance shall commence on the effective date of this Ordinance and shall terminate on the earlier of the following dates: (a) the date the Public Improvements are paid in full from the Brewery District Tax Equivalent Fund; (b) within sixty (60) years from the effective date of this Ordinance, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42, 5709.43, and 5709.51.

**SECTION 3.** That Exhibit B to Ordinance No. 1786-00 is hereby repealed and replaced with Exhibit B, attached hereto, to add improvements to the list of public infrastructure improvements that may be funded from the service payments of the Brewery District TIF Parcels, and all references to the “Public Improvements” in Ordinance No. 1786-00 shall refer to Exhibit B attached hereto.

**SECTION 4.** That, pursuant to R.C. 5709.51(A)(3), the Columbus City School District shall continue to receive compensation from the county equal in value to the amount of taxes that would be payable to the school district if the improvements to the Brewery District TIF Parcels had not been exempted from taxation for the Brewery District TIF Extension Period.

**SECTION 5.** That, pursuant to R.C. Section 5709.51(B), this Council hereby authorizes the Director of the Department of Development, the City Clerk, or other appropriate officers of the City to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.

**SECTION 6.** That, except as provided herein, all other provisions of the Brewery District TIF Ordinance shall remain in full force and effect; City officials are further authorized to provide such information and to execute, certify, or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this Ordinance.

**SECTION 7.** That this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

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**Legislation Number:** 3410-2023

**Drafting Date:** 11/22/2023

**Version:** 2

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Council Variance Application CV23-097**

**APPLICANT:** Moody Engineering, c/o Gary Davis; 300 Spruce Street, Suite 200; Columbus, OH 43215.

**PROPOSED USE:** Community center with accessory eating and drinking establishment.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is currently developed with a

former Columbus Metropolitan Library branch in the R-3, Residential District. A Council variance is required because the R-3 district does not allow commercial uses, while the applicant proposes to reuse the existing building to provide a community center with an accessory eating and drinking component. A variance to reduce required number of parking spaces from 38 to ~~36~~ **35** provided spaces is included in the request. The site is located in the *Near East Area Plan (2005)* planning boundary, which does not contain a specific land use recommendation for this location, but contains criteria to evaluate proposed commercial uses in residential areas. Staff supports the proposed use and parking reduction as it repurposes a commercial building, and will have minimum impact on adjacent properties due to its quasi-institutional nature akin to the former library.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49(C), ~~Minimum number of parking spaces required~~ **Required parking**, of the Columbus City Codes; for the property located at **1600 E. LONG ST. (43203)**, to allow a community center with an eating and drinking establishment and reduced parking in the R-3, Residential District (Council Variance #CV23-097).

**WHEREAS**, by application #CV23-097, the owner of property at **1600 E. LONG ST. (43203)**, is requesting a Council variance to allow a community center with an eating and drinking establishment and reduced parking in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3 residential district, prohibits commercial uses, while the applicant proposes to use the existing building to provide a community center with an accessory eating and drinking establishment; and

**WHEREAS**, Section 3312.49(C), ~~Minimum number of parking spaces required~~ **Required parking**, requires one parking space per 250 square feet of retail space and one parking space per 175 square feet of eating and drinking establishment space, or a total of 34 spaces for retail space and a total of four spaces for eating and drinking establishment space, while the applicant proposes a total of ~~36~~ **35** parking spaces; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the requested variances will allow the site to be repurposed with a community center and an accessory eating and drinking establishment which will have a minimal impact on neighboring properties; and

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

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

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1600 E. LONG ST. (43203)**, in using said property as desired;

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

**SECTION 1.** That a variance from the provisions of Sections 3332.035, R-3 residential district; and 3312.49, ~~Minimum number of parking spaces required~~ **Required parking**, of the Columbus City Codes, is hereby granted for the property located at **1600 E. LONG ST. (43203)**, insofar as said sections prohibit a community center and accessory eating and drinking establishment in the R-3, Residential District; with a parking space reduction from 38 spaces to ~~36~~ **35** spaces; said property being more particularly described as follows:

**1600 E. LONG ST. (43203)**, being 0.74± acres located on the north side of East Long Street, 200± feet west of Woodland Avenue:

The Board of Trustees of Columbus Metropolitan Library, formerly known as The Board of Trustees of the Public Library of Columbus and Franklin County, a County Library District, organized pursuant to Ohio Revised Code 3375.19 ("Grantor"), for One Dollar and No Cents (\$1.00) and other good and valuable consideration paid, grants with general warranty covenants to State of Ohio for the use and benefit of the Ohio State University, whose tax mailing address is: 1534 North High Street, Gateway D, 2nd Floor, Columbus. OH 43201, the following described real estate:

Tract I:

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being Lots Numbered Twenty-two (22) and Twenty-three (23) of Calender and Rockwell's Subdivision of Lots Numbers 15, 16, 17 and 18 of Keyes Barr's North Addition to Eastwood, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115, and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Tract II:

Subtract I:

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being 2.40 feet off of the entire east side of Lot Number Twenty-seven (27), and all of Lot Number Twenty-six (26), and 24.47 feet off the west side of Lot Number Twenty-five (25), of CALENDER AND ROCKWELL'S SUBDIVISION of Lots 15, 16, 17 and 18 of Keyes Barr's North Addition to Eastwood, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115, and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Subtract II:

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being Lot Number Twenty-Four (24) and Fifteen (15) feet off the East side of Lot Number Twenty-Five (25) of Callender and Rockwell's Subdivision of Lots 15, 16, 17, and 18 of KEYS BARR'S ADDITION, to said City,

as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4 Page 115 and also as amended upon the plat of Woodland's, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 244, Recorder's Office, Franklin County, Ohio.

Property Address: 1600 East Long Street. Columbus, OH 43203

Parcel Number: 010-023596

Prior Instrument Reference: Deed Book 3563, Page 269. Official Record 18913. Page B03 and Official Record 19635. Page B11 of the Franklin County, Ohio Recorder's Office

This conveyance is subject to all legal highways, restrictions, and easements of record, and real estate taxes and assessments not yet due and payable.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a community center and an accessory eating and drinking establishment, or those uses permitted in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**SITE PLAN**", dated November ~~14~~ **28**, 2023, and signed by Mark Larrimer, Engineer for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and Certificate of Occupancy for the proposed use.

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

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**Legislation Number:** 3411-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**BACKGROUND:** This ordinance authorizes the Board of Health to modify an existing contract with OSS Ohio Holdings, LLC., for security services at Columbus Public Health, for the period March 1, 2023 to February 29, 2024, in an amount not to exceed \$10,000.00 for a new total contract amount of \$465,333.00. This modification is necessary due to increased pay rates of all levels of security officers in order to comply with the new \$20/hour living wage. Adjusted pay rates were determined by negotiations between both parties.

The contract compliance number for OSS Ohio Holdings, LLC., is CC-044219 and is valid through 2/1/2025.

This ordinance is submitted as an emergency in order to avoid a break in the delivery of these needed security services.

**FISCAL IMPACT:** \$10,000.00 is budgeted and available within the Health Special Revenue Fund to meet the financial obligation of this contract modification. PO373534 authorizes \$455,333.00 for these security services. With this modification, the contract amount will be \$465,333.00.

To authorize the Board of Health to modify an existing contract with OSS Ohio Holdings, LLC. for security officer services; to authorize a total expenditure of \$10,000.00 from the Health Special Revenue Fund for said contract modification; and to declare an emergency. (\$10,000.00)

**WHEREAS**, the Board of Health has a current existing contract for security officer services for the Health Department facility located at 240 Parsons Avenue; and

**WHEREAS**, a modification to the existing contract is necessary due to increased pay rates of all levels of security officers to comply with new \$20/hour living wage; and,

**WHEREAS**, the Board of Health desires to modify its existing contract with OSS Ohio Holdings, LLC., as an emergency measure in order to avoid a break in these needed security services; and,

**WHEREAS**, an emergency exists in the usual, daily operations of the Department of Health in that it is immediately necessary to authorize the Board of Health to modify an existing contract for security officer services for the Health Department's 240 Parsons Avenue facility to avoid any delay or break in these needed security services to comply with increased pay rates of all levels of security officers in order to comply with the new \$20/hour living wage, all for the immediate preservation of the public peace, property, health, safety and welfare, and **now, therefore**,

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

**SECTION 1.** That the Board of Health is hereby authorized to modify an existing contract with OSS Ohio Holdings, LLC., for security officer services for the Health Department facility located at 240 Parsons Avenue for the period March 1, 2023, through February 29, 2024.

**SECTION 2.** That the expenditure of \$10,000.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 2250, Department of Health, Division No. 5001, in object class 03 - Services, per the accounting codes in the attachment to this ordinance.

**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 and to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

**SECTION 5.** That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after

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

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**Legislation Number:** 3413-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## BACKGROUND

This legislation authorizes the Director of the Department of Development to enter into a contract with Jonathan Barnes Architecture and Design in an amount up to \$50,000.00 in support of architectural design services that will be used to aid in the Accessory Dwelling Unit Pilot Program in the City of Columbus.

As Columbus continues to grow, there are real concerns that housing affordability and supply issues will continue to worsen. Accessory dwelling units (ADUs) provide an opportunity to increase the housing supply, provide financial stability for owners, and can be leveraged to increase affordable housing. ADUs have the opportunity to positively impact a number of Columbus residents, including aging residents looking to downsize but stay in their neighborhood; retirees on fixed incomes needing extra income to cover their mortgage; homeowners looking for real estate investments; young professionals without families; and people with disabilities that can have their own living space but still be close to family support. The overall economic impact of ADUs is that they will increase the supply of studio and one-bedroom options in Columbus.

Columbus City Council approved Ordinance 0231-2023 on February 6, 2023 authorizing an agreement with Jonathan Barnes Architecture and Design in an amount up to \$125,000.00. The term of the agreement expired on October 31, 2023. In order to complete the services, a new agreement is desired with a start date of November 1, 2023 in an amount not to exceed \$50,000.00.

This legislation authorized the repeal of Ordinance 2814-2023.

A waiver of competitive bidding is requested due to the immediate need in beginning design work on the Accessory Dwelling Unit Pilot in order to create housing opportunities for residents of Columbus.

**Emergency Designation:** Emergency action is requested to ensure that Jonathan Barnes Architecture and Design can immediately complete design services in aid of the Accessory Dwelling Unit Pilot Program.

**Fiscal Impact:** Funds are available within the Development Taxable Bonds Fund.

**Contract Compliance:** the vendor number is 005667 and expires 03/28/2025

To authorize the Director of the Department of Development to enter into a contract with Jonathan Barnes Architecture and Design in support of architectural design services that will be used to aid in the Accessory Dwelling Unit Pilot Program for Columbus residents; to authorize an expenditure from the Development Taxable Bond fund; to authorize expenditures prior to the Purchase Order; to waive the competitive bidding provisions of Columbus City Codes; to repeal ordinance 2814-2023; and to declare an emergency (\$50,000.00).

**WHEREAS**, as the city of Columbus continues to grow, there are real concerns that housing affordability and supply issues will continue to worsen; and,

**WHEREAS**, accessory dwelling units (ADUs) provide an opportunity to increase the housing supply, provide financial stability for owners, and can be leveraged to increase affordable housing; and,

**WHEREAS**, Columbus City Council approved Ordinance 0231-2023 on February 6, 2023 authorizing and agreement with Jonathan Barnes Architecture and Design in an amount up to \$125,000.00; and

**WHEREAS**, Columbus City Council approved Ordinance 2814-2023 authorizing a modification to the agreement to extend the expiration date; and

**WHEREAS**, the agreement expired before a modification could be executed and it is now necessary to repeal ordinance 2814-2023; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Development to enter into a contract with Jonathan Barnes Architecture and Design in an amount up to \$50,000.00 in support of architectural design services that will be used to aid in the Accessory Dwelling Unit Pilot Program; and

**WHEREAS**, it has been determined that it is in the best interests of the City to waive the competitive bidding requirement to ensure that Jonathan Barnes Architecture and Design can immediately begin providing design services in aid of the Accessory Dwelling Unit Pilot Program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into a contract with Jonathan Barnes Architecture and Design so it can immediately complete design services that will be used to aid in the Accessory Dwelling Unit Pilot Program, 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 it is necessary to repeal Ordinance 2814-2023 passed October authorizing the contract modification because the modification was not executed prior to the contract expiration date.

**SECTION 2.** That the Director of the Department of Development is hereby authorized to enter into a contract beginning November 1, 2023, with Jonathan Barnes Architecture and Design in support of architectural design services that will be used to aid in the Accessory Dwelling Unit Pilot Program. Professional services costs associated with the planning and design incurred prior to the execution of the purchase order, starting November 1, 2023, are hereby determined to be a valid public purpose and will be reimbursed.

**SECTION 3.** That for the purpose as stated in Section 2, the expenditure of \$50,000.00, or so much thereof as may be necessary, is hereby authorized in fund 7739 (Development Taxable Bonds), Project 200025-100000, in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4:** That this Council finds it is in the best interests of the City to waive the competitive bidding provisions of Chapter 329 of Columbus City Codes to enter into this contract and such are hereby waived.

**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 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 authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 3416-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Council Variance Application: CV19-013**

**APPLICANT:** Southside Commercial, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

**PROPOSED USE:** Conform existing automotive maintenance and repair facility.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a nonconforming automotive maintenance and repair facility in the R-3, Residential District. The requested Council variance will conform the existing auto repair facility. The variance is required because the R-3 district does not allow commercial uses. Variances to reduce the maneuvering area, parking setback line, and side yards are also included with this request. The site is within the boundaries of the *South Side Plan* (2014), which recommends “Industrial” land uses at this location, and includes adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). As the proposed variance will conform the existing use which has been established for many years, and is consistent with the Plan’s land use recommendation, it is supported.

To grant a Variance from the provisions of Sections 3332.035, R-3 residential district; 3312.25, Maneuvering; 3312.27, Parking setback line; 3332.25, Maximum side yards required; and 3332.26, Minimum side yard permitted, of the Columbus City Codes; for the property located at **1872 S. PEARL ST. (43207)**, to allow an automotive maintenance and repair facility with reduced development standards in the R-3, Residential District (Council Variance #CV19-013).

**WHEREAS**, by application #CV19-013, the owner of property at **1872 S. PEARL ST. (43207)**, is requesting a Council variance to allow an automotive maintenance and repair facility with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3 residential district, does not permit commercial uses, while the applicant proposes to conform the existing automotive maintenance and repair shop, as shown on the submitted site plan; and

**WHEREAS**, Section 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located or 20 feet of maneuvering area, while the applicant proposes to maintain a reduced maneuvering area for the existing parking spaces on the west side from 20 feet to 17 feet; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a parking setback of 25 feet from the street right-of-way line, while the applicant proposes to maintain a reduced setback of zero feet along South 3rd Street; and

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to equal or exceed 20 percent of the width of the lot, for a maximum requirement of 16 feet, while the applicant proposes to maintain no side yards for the existing building; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes to maintain no side yards for the existing building; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the proposal will conform the existing automobile maintenance and repair facility which has existed for many years, and is consistent with the land use recommendations of the *South Side Plan*; and

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

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

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **1872 S. PEARL ST. (43207)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3332.035, R-3 residential district; 3312.25, Maneuvering; 3312.27, Parking setback line; 3332.25, Maximum side yards required; and 3332.26, Minimum side yard permitted , of the Columbus City Codes; is hereby granted for the property located at **1872 S.**

**PEARL ST. (43207)**, insofar as said sections prohibit an automotive maintenance and repair facility in the R-3, Residential District; with reduced maneuvering area from 20 feet to 17; a reduced parking setback line from 25 feet to zero feet along South 3rd Street; a reduced maximum side yard from 16 feet to zero feet; and a reduced minimum side yard from five feet to zero feet, said property being more particularly described as follows:

**1872 S. PEARL ST. (43207)**, being 0.30± acres located on the east side of South Pearl Street, 30± feet north of Hinkle Avenue, and being more particularly described as follows:

Situated in the City of Columbus, in the County of Franklin, and in the State of Ohio:

Being Lots Five (5), Six (6), and Seven (7) of the MRS. JANE H. CHAMBERS SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 325, Recorder's Office, Franklin County, Ohio.

Address of Property: 1872 South 3rd Street, Columbus, OH 43207

Parcel No.: 010-000467

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an automotive maintenance and repair facility, or those uses permitted in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE PLAN for 1872 S. PEARL STREET**," dated April 25, 2023, and signed by David Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy, if applicable, for the proposed use.

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

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**Legislation Number:** 3423-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

### **Rezoning Amendment: Z03-068A**

Ordinance #2369-2003, passed November 17, 2003 (Z03-068), rezoned 0.79± acres at 1120 Evans Way Court (43228), formerly addressed as 1116 Evans Way Court (43228), from the C-4, Commercial District to the CPD, Commercial Planned Development District to allow a three-lane automated car wash facility with a pitched

roof. That rezoning also established use restrictions and supplemental development standards for setbacks, lot coverage, access and parking, landscaping and screening, building design, roof pitch, lighting, and outdoor display, and included a site plan commitment. This ordinance pertains to a 0.70± acre portion of the existing CPD district (Franklin County Parcel #010-297485), and amends the CPD text and plan to allow for a single-lane automated car wash facility with a flat roof. As a result, access and landscaping standards have been revised, lighting and roof pitch commitments have been removed, and code modifications to by-pass lane and building setback along Hilliard & Rome Road have been added. The remaining 0.09± acres of the existing CPD district are not included in this amendment, and remain unchanged and in effect.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance #2369-2003, passed November 17, 2003 (Z03-068), for property located at **1120 EVANS WAY CT. (43228)**, formerly addressed as 1116 Evans Way Court (43228), by repealing Sections 1 and 3 and replacing them with new Sections 1 and 3 to include the legal description for this specific property, and to modify the CPD text and plan (Rezoning Amendment #Z03-068A).

**WHEREAS**, Ordinance #2369-2023, passed November 17, 2023 (Z03-068), rezoned 0.79± acres at **1120 EVANS WAY CT. (43228)**, formerly addressed as 1116 Evans Way Court (43228), from the C-4, Commercial District to the CPD, Commercial Planned Development District; and

**WHEREAS**, that rezoning established specific use restrictions and supplemental development standards which included setbacks, access and parking, landscaping and screening, building design and materials, and lighting and outdoor display in the CPD text and plan for an intended a three-lane automated car wash facility with a pitched roof on a 0.79± acre site; and

**WHEREAS**, the Applicant proposes to modify the CPD text and plan to instead develop a single-lane automated car wash facility with a flat roof on 0.70± acre site; and

**WHEREAS**, it is necessary to amend Section 1 of Ordinance #2369-2003, passed November 17, 2003 (Z03-068), as it applies to Franklin County Parcel #010-297485, to revise the legal description in Section 1 of this ordinance for the property that is subject to this amendment; and

**WHEREAS**, it is necessary to amend Section 3 of Ordinance #2369-2003, passed November 17, 2003 (Z03-068), to revise the CPD text to revise access and landscaping standards, remove lighting and roof pitch commitments, and add code modifications to by-pass lane and building setback along Hilliard & Rome Road the submitted site plan, and;

**WHEREAS**, all other aspects of Ordinance #2369-2003 are unaffected by this amendment and remain in effect, and are repeated below for clarity; now, therefore:

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

**SECTION 1.** That Section 1 of Ordinance #2369-2003, passed November 17, 2003 (Z03-068), as it applies to Franklin County Parcel #010-297485, be hereby repealed and replaced with a new Section 1 to establish a revised legal description for the property subject to this amendment ordinance and reading as follows:

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03,

passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**1120 EVANS WAY CT. (43228)**, being 0.70± acres located on the east side of Evans Way Court, 330± feet north of Feder Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being the north half of Lot 2 of Harvest Place as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book 81, Page 32, said Lot 2 being conveyed to The McGlaughlin Oil Co. in Instrument Number 200211070284105, all records being of the Recorder's Office, Franklin County, Ohio unless otherwise noted, and being more particularly bounded and described as follows:

BEGINNING at a found 5/8" solid iron pin, capped "CEC", at the northwest corner of said Lot 2 and the southwest corner of Lot 3 of said Harvest Place, also being in the east line of Evans Way Court, 60 feet wide;

Thence, along the north line of said Lot 2 and the south line of said Lot 3, North 83 degrees 04 minutes 09 seconds East, 285.15 feet to a found 5/8" solid iron pin, capped "CEC", at the southeast corner of said Lot 3 and the northeast corner of said Lot 2, also being in the west line of Hilliard Rome Road;

Thence, along part of the east line of said Lot 2 and the west line of Hilliard Rome Road, South 06 degrees 55 minutes 51 seconds East, 105.56 feet to a set iron pipe;

Thence, across said Lot 2, South 83 degrees 04 minutes 09 seconds West, 285.15 feet to a set iron pipe in the west line of said Lot 2 and the east line of Evans Way Court;

Thence, along part of the west line of said Lot 2 and the east line of Evans Way Court, North 06 degrees 55 minutes 51 seconds West, 105.56 feet to the POINT OF BEGINNING, CONTAINING 0.691 ACRES. Subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

Iron pipes set are 30" x 1" O.D. with an orange plastic cap inscribed "MYERS PS 6579. Basis of bearings is North 06 degrees 55 minutes 51 seconds West on the east line of Evans Way Court as recorded in Plat Book 81, Page 32. This description is based on a field survey by Myers Surveying Company on October 5, 2016.

Address: 1120 Evans Way Court, Columbus, OH 43228

Parcel No.: 010-297485-00

**To Rezone From:** CPD, Commercial Planned Development District,

**To:** CPD, Commercial Planned Development District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

**SECTION 3.** That Section 3 of Ordinance #2369-2003, passed November 17, 2003 (Z03-068), as it applies to Franklin County Parcel #010-297485, be hereby repealed and replaced with 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 change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, “**ZONING SITE PLAN,**” and text titled, “**CPD, COMMERCIAL PLANNED DEVELOPMENT TEXT,**” both dated September 26, 2023, and signed by David Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and the text reading as follows:

**CPD, COMMERCIAL PLANNED DEVELOPMENT TEXT**

**0.69 +/- acres**

**EXISTING ZONING:** CPD, Commercial Planned Development District (Z03-068)

**PROPOSED ZONING:** CPD, Commercial Planned Development District (Z03-068A)

**PROPERTY ADDRESS:** 1120 Evans Way Court, Columbus, OH 43228

**APPLICANT:** Moo Car Express Car Wash LLC c/o Dave Perry, Agent, David Perry Company, Inc., 411 E. Town Street, FL 1, Columbus, OH 43215 and Donald Plank, Attorney, Plank Law Firm, 411 E Town Street, FL 2, Columbus, OH 43215.

**PROPERTY OWNER:** Evans Way Holding, LLC c/o Scott Schaeffer, Attorney, 88 W Mound Street, Columbus, OH 43215

**DATE OF TEXT:** 09/26/2023

**APPLICATION NUMBER:** Z03-068A / Z03-068A

**1. INTRODUCTION:** By Ordinance 2369-2003, passed November 17, 2003 (Z03-068), this site was rezoned to permit a car wash. The site is presently undeveloped. Applicant proposes to build a car wash but with a different site plan than referenced in Ordinance 2369-2003. The purpose of this application is to amend the 2003 ordinance to change the site plan for the car wash and update applicable language of the CPD development text. The site plan, hereafter “Site Plan”, titled “, Zoning Site Plan”, dated 09/26/2023, depicting a single unit tunnel car wash, is submitted as the site development plan for the automatic car wash.

**2. PERMITTED USES:** The permitted use shall be a car wash, as permitted by Chapter 3357, C-5, Commercial District, City of Columbus Zoning Code, and as depicted on the Site Plan.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

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

1. Setbacks are as shown on the site plan.

2. Lot coverage for structures and paved areas may not exceed eighty-five per cent (85%) of net usable area (gross zoned acreage excluding publicly dedicated streets). Sidewalks and paved plazas at building entrances shall not be considered a part of lot coverage.

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

1. Development of the site with a car wash shall be as depicted on the submitted Site Plan.

2. There shall be no direct vehicular access to Hilliard Rome Road.

3. Access to this parcel will be via a shared ingress/egress drive between this parcel and the parcel to the south.

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

Required landscaping for the car wash shall be as depicted on the Site Plan, and three (3, min) trees shall be planted in the Evans Way building setback.

**D. Building design and/or Interior-Exterior treatment commitments.**

Primary building materials shall be brick, brick veneer, stone, stone veneer split face block, fluted block, stucco, metal, fiber cement siding, wood and/or glass, individually or in combination thereof. In addition, painted wood or vinyl siding as an accent material may be used, not to exceed 40% in area of each façade.

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

The maximum height of parking lot lighting shall be 22’

**F. Graphics and Signage commitments.**

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as applies to the C-4, Commercial District. Any ground sign shall be monument-style. Any variance to applicable sign standards shall be submitted to the Columbus Graphics Commission for consideration.

**G. Other CPD Requirements.**

1. Natural Environment: The site is located on the east side of Evans Way Court, 260’ +/- north of Feder Road, and also the west side of Hilliard Rome Road. The site is undeveloped but located between an oil change business to the south and a restaurant to the north.
2. Existing Land Use: The undeveloped site is presently zoned to permit a car wash.
3. Transportation and Circulation: Vehicular access is from Evans Way Court which connects to Feder Road. There will be no direct vehicular access to Hilliard Rome Road.
4. Visual Form of the Environment: The site is located a short distance south of the I-70 / Hilliard Rome Road interchange. Hilliard Rome Road and Feder Road are extensively developed with commercial uses. The site is flat and visible from both Hilliard Rome Road and Evans Way Court.
5. View and Visibility: The site is flat and visible from both Hilliard Rome Road and Evans Way Court. The site is part of a large extensively developed commercial area.
6. Proposed Development: Automatic car wash.
7. Behavior Patterns: Vehicular access shall be from a shared driveway on Evans Way Court. Site circulation will be as depicted on the Site Plan. There shall be no direct vehicular access to Hilliard Rome Road.
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

**H. Modification of Code Standards.**

1. Section 3312.11, Drive-up Stacking Area, to not provide an exclusive by-pass lane for the car wash.
2. Section 3356.11, C-4 District Setback Lines, to reduce the Hilliard Rome Road building setback from 60’

(Columbus Multi-modal Thoroughfare Plan) to 25', to permit pay stations, while the car wash building setback is 80' +/- from Hilliard Rome Road.

**I. Miscellaneous commitments.**

Development of the site with an automatic car wash shall be in accordance with the Site Plan titled “Moo Moo Express Car Wash, Zoning Site Plan”, dated 09/26/2023, and signed 09/26/2023 by David B. Perry, Agent for Applicant, and Donald Plank, Attorney for Applicant. These plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

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

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**Legislation Number:** 3425-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:**

This legislation authorizes the Director of the Department of Neighborhoods, on behalf of the City, to enter into a General Service Contract with the Neighborhood Design Center (NDC). NDC is currently working in coordination with the City Department of Neighborhoods to implement elements of the One Linden and Envision Hilltop community plans. NDC will also provide general consulting services to the Department of Neighborhoods. This ordinance authorizes the expenditure of \$150,000.00 from the General Fund (GF).

This support is in accordance with the relevant provisions of City Code Chapter 329 that relate to not-for-profit service contracts. The services included in this agreement cannot be provided by existing city employees because these services are beyond the City’s current responsibility and capacity to provide.

**Fiscal Impact:** The fiscal impact associated with the execution of the contract is in the amount of \$150,000.00 and is to come from Fund 1000 General Fund (GF).

**Emergency Justification:** Emergency action is requested in order to prevent delays in on-going projects needed to advance community plan implementation.

To authorize the Director of Neighborhoods to enter into a contract with the Neighborhood Design Center for work associated with the implementation of the One Linden and Envision Hilltop community plans; to authorize the expenditure of \$150,000.00 from the General Fund; and to declare an emergency. (\$150,000.00)

**WHEREAS,** the City is supportive of the Linden and Hilltop Community and wishes to expand programs and



services to better serve the neighborhoods; and

**WHEREAS**, the City commissioned comprehensive community plans in an effort to revitalize both communities; and

**WHEREAS**, the expenditure of \$150,000.00 is needed for a general services contract to further the implementation of elements of the One Linden and Envision Hilltop community plans and assist the Department of Neighborhoods; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Neighborhoods in that it is necessary to authorize the Director of the Department of Neighborhoods to enter into contract with the Neighborhood Design Center and to allow the Neighborhood Design Center to advance community plan implementation and prevent delays in on-going projects needed to advance the implementation of the comprehensive community plans, 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 Neighborhoods be, and hereby is, authorized to enter into contract with the Neighborhood Design Center, for general services that will further the implementation of the comprehensive community plans of the One Linden and Envision Hilltop community plans.

**SECTION 2.** That the expenditure of \$150,000 or so much thereof as may be needed, is hereby authorized in Fund 1000 in object class 03, Contractual Services, per the accounting codes in the attachment to this ordinance.

**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 contract is awarded in accordance with the relevant provisions of City Code Chapter 329 relating to non-profit service contracts.

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

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**Legislation Number:** 3426-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Rezoning Application: Z23-059**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; Underhill and Hodge, LLC; 8000 Walton Parkway,

Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on November 9, 2023.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of two parcels zoned in the CPD, Commercial Planned Development District, one of which is developed with an office building. The proposed AR-O, Apartment Office District will allow redevelopment of the site with multi-unit residential development uses or limited office uses. The requested AR-O district is generally consistent with the *Far North Area Plan* (2014) recommendation of "Employment Center" land uses at this location, and is consistent with the surrounding zoning and emerging residential development pattern within the Crosswoods community. This request does not represent the addition of an incompatible use to the area and meets the city's objective to provide more housing. A concurrent Council Variance (Ordinance #3429-2023; CV23-119) has been filed for a proposed 204-unit apartment complex, and includes a variance to the perimeter yard.

To rezone **7450 HUNTINGTON PARK DR. (43235)**, being 7.39± acres located on the east side of Huntington Park Drive, 480± feet southeast of Horizon Drive, **From:** CPD, Commercial Planned Development District, **To:** AR-O, Apartment Office District (Rezoning #Z23-059).

**WHEREAS**, application #Z23-059 is on file with the Department of Building and Zoning Services requesting rezoning of 7.39± acres from CPD, Commercial Planned Development District, to AR-O, Apartment Office District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested AR-O, Apartment Office District is consistent with the surrounding zoning and development pattern, and will provide housing consistent with the City's objectives; 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:

**7450 HUNTINGTON PARK DR. (43235)**, being 7.39± acres located on the eastside of Huntington Park Drive, 480± feet southeast of Horizon Drive, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 60 and 61 of Section 2, Township 2, Range 18, United States Military Lands, of record in O.R. 6939, Page G05 and part of the original 32.251 and 52.697 acre tracts conveyed to East Ponco Land Development Company by Deeds of record in O.R. 5708, Page A01 and O.R. 6939, Page G01, respectively, records of the recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning for reference at a point in the northerly line and at the easterly end of Horizon Drive (being 60.00 feet in Width) as delineated upon the Plat of Crosswoods Center Section Four, shown of record in Plat Book 63, Page 71, said point being a southeasterly corner of a 6.321 acre tract conveyed to Campus Corporate Center by Deed of Record in O.R. 5708, Page A11;

Thence, with a curve to the right, having a radius of 380.00 feet, a central angle of 12° 36' 01" the chord to which bears South 37° 37' 27" East, a chord distance of 83.40 feet along the northerly line of Horizon Drive (being 60.00 feet in width) of record in Plat Book 64, Page 100, to the point of true beginning for the herein described tract:

Thence the following Two (2) courses and distances across said 32.251 acre tract:

- 1) Thence North 58° 40' 53" East, a distance of 111.39 feet to a point;
- 2) Thence South 86° 49' 53" East, a distance of 427.56 feet to a point in the common line of said original 32.251 acre tract and lands now or formerly owned by N & W Railroad;

Thence South 02° 50' 23" East, a distance of 651.58 feet along the common line of said Railroad lands with said original 32.251 and 52.697 acre tracts to a point;

Thence North 86° 49' 53" West, a distance of 520.77 feet across said original 52.697 and 26.809 acre tracts to a point in the easterly line of Horizon Drive;

Thence the following Two (2) courses and distances along the easterly line of Horizon Drive:

- 1) Thence North 03° 10' 07" East, a distance of 369.73 feet to a point of curvature;
- 2) Thence with a curve to the left having a radius of 380.00 feet, a Central angle of 34° 29' 34" the chord of which bears North 14° 04' 40" West, a chord distance of 225.33 feet to the point of true beginning, containing 7.376 acres, more or less.

Commonly Known As: 7450 Huntington Park Drive, Columbus, OH 43235

Parcel No.: 610-205680 & 610-211630

Address: 7450 Huntington Park Drive; Columbus, OH 43235

**To Rezone From:** CPD, Commercial Planned Development District,

**To:** AR-O, Apartment Office District.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established in the AR-O, Apartment Office 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.

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

Drafting Date: 11/22/2023

Current Status: Passed

Version: 2

Matter Ordinance

Type:

**Council Variance Application: CV23-119**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; Underhill and Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Apartment complex.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #3426-2023; Z23-059) to the AR-O, Apartment Office District. This concurrent Council variance proposes a 204-unit apartment complex with a density of 7.4 dwelling units per acre, and includes a variance for reduced perimeter yards. The requested variance allows for a site design that places parking behind buildings and provides centralized open space, generally consistent with the *Far North Area Plan's* (2014) design recommendations.

To grant a Variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes; for the property located at **7450 HUNTINGTON PARK DR. (43235)**, to allow reduced development standards for an apartment complex in the AR-O, Apartment Office District (Council Variance #CV23-119).

**WHEREAS**, by application #CV23-119, the owner of property at **7450 HUNTINGTON PARK DR. (43235)**, is requesting a Council variance to allow reduced development standards for an apartment complex in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yards along the north, east, and south property lines ~~varying between three, nine, and of five feet, respectively~~, as depicted on the site plan; and

**WHEREAS**, the City Departments recommend approval of said Council variance because the variance will allow an apartment complex generally consistent with *Far North Area Plan's* design recommendations; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed development; and

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **7450 HUNTINGTON PARK DR. (43235)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3333.255, Perimeter Yard, of the Columbus City Codes, is hereby granted for the property located at **7450 HUNTINGTON PARK DR. (43235)**, insofar as said section prohibits a reduced perimeter yard from 25 feet to ~~3 feet along the northern property line, to 9 feet along the eastern property line, and to 5 feet along the southern property line~~ **five feet along the northern, eastern and southern property lines**; said property being more particularly described as follows:

**7450 HUNTINGTON PARK DR. (43235)**, being 7.39± acres located on the east side of Huntington Park Drive, 480± feet southeast of Horizon Drive, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio, described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 60 and 61 of Section 2, Township 2, Range 18, United States Military Lands, of record in O.R. 6939, Page G05 and part of the original 32.251 and 52.697 acre tracts conveyed to East Ponco Land Development Company by Deeds of record in O.R. 5708, Page A01 and O.R. 6939, Page G01, respectively, records of the recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Beginning for reference at a point in the northerly line and at the easterly end of Horizon Drive (being 60.00 feet in Width) as delineated upon the Plat of Crosswoods Center Section Four, shown of record in Plat Book 63, Page 71, said point being a southeasterly corner of a 6.321 acre tract conveyed to Campus Corporate Center by Deed of Record in O.R. 5708, Page A11;

Thence, with a curve to the right, having a radius of 380.00 feet, a central angle of 12° 36' 01" the chord to which bears South 37° 37' 27" East, a chord distance of 83.40 feet along the northerly line of Horizon Drive (being 60.00 feet in width) of record in Plat Book 64, Page 100, to the point of true beginning for the herein described tract:

Thence the following Two (2) courses and distances across said 32.251 acre tract:

- 1) Thence North 58° 40' 53" East, a distance of 111.39 feet to a point;
- 2) Thence South 86° 49' 53" East, a distance of 427.56 feet to a point in the common line of said original 32.251 acre tract and lands now or formerly owned by N & W Railroad;

Thence South 02° 50' 23" East, a distance of 651.58 feet along the common line of said Railroad lands with said original 32.251 and 52.697 acre tracts to a point;

Thence North 86° 49' 53" West, a distance of 520.77 feet across said original 52.697 and 26.809 acre tracts to a point in the easterly line of Horizon Drive;

Thence the following Two (2) courses and distances along the easterly line of Horizon Drive:

- 1) Thence North 03° 10' 07" East, a distance of 369.73 feet to a point of curvature;
- 2) Thence with a curve to the left having a radius of 380.00 feet, a Central angle of 34° 29' 34" the chord of which bears North 14° 04' 40" West, a chord distance of 225.33 feet to the point of true beginning, containing 7.376 acres, more or less.

Commonly Known As: 7450 Huntington Park Drive, Columbus, OH 43235

Parcel No.: 610-205680 & 610-211630

Address: 7450 Huntington Park Drive; Columbus, OH 43235

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the AR-O, Apartment Office District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**SITE PLAN**," dated November 4017, 2023, and signed by Eric Zartman, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed development.

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

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**Legislation Number:** 3431-2023

**Drafting Date:** 11/22/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

## **BACKGROUND**

This ordinance authorizes the Director of the Department of Finance and Management, on behalf of the Board of Health, to enter into contract and establish a purchase order with 2K General Company, for building renovation services in the client waiting area. This investment into the facility is necessary to keep the building in good working order, improve public safety and increase the useful life of the asset. Ordinance No. 0955-2023 renewed the UTC with 2K General Co., for general maintenance services, repairs and renovations for the period of December 1, 2023 through June 30, 2024. The Board of Health wishes to utilize the existing building maintenance universal term agreement for these renovations.

The following Purchase Agreement association requires approval by City Council in order for the Division to expend more than \$100,000.00 in a fiscal year per City Code 329.19(g): 2K General Company PA005177.

2K General 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. 2K General Company Contract Compliance No. CC005739, PA005177, expiration date June 14, 2024. 2K General Co. is a trade name for TwoK General Co., which is licensed to do business in the State of Ohio.

Emergency action is requested due to the fluctuation in pricing of the materials necessary for the improvements and time necessary to complete these repairs. Therefore, emergency legislation is being requested so that the Board of Health may ensure the purchase price of the materials and timeliness of the repairs.

**FISCAL IMPACT:**

Funding in the amount of \$57,125.62 is budgeted and available within the Health Special Revenue Fund.

To authorize the Director of the Department of Finance and Management, on behalf of the Board of Health, to enter into a contract and establish a purchase order with 2K General Co.; to authorize the expenditure of up to \$57,125.62 from the Health Special Revenue Fund; and to declare an emergency. (\$57,125.62)

**WHEREAS**, the Board of Health is in need of building renovation services at its main location of 240 Parsons Avenue, Columbus, OH 43215; and

**WHEREAS**, Ord. No. 0955-2023 renewed the UTC with 2K General Co., and the City of Columbus for general maintenance services, repairs and renovations; and

**WHEREAS**, it has become necessary in the usual daily operation of the Board of Health to authorize the Director of Finance and Management to enter into a contract and establish a purchase in accordance with the terms and conditions of the citywide universal term contract; and

**WHEREAS**, an emergency exists in the usual daily operation the Finance and Management Department in that it is immediately necessary to authorize the expenditure to complete facility renovations at once due to fluctuating pricing of the materials necessary for the improvements, 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 Finance and Management, on behalf of the Board of Health, is hereby authorized to enter into a contract and establish a purchase order for building renovations at Columbus Public Health with 2K General Co. in accordance with the terms and conditions of the citywide universal term contract for the purchase of building renovation services, for the Board of Health.

**SECTION 2.** That the expenditure of \$57,125.62, or so much thereof as may be needed, is hereby authorized in Fund 2250 (Health Special Revenue Fund) per the account codes in the attachment to this ordinance.

**SECTION 3.** That City Council approves the purchase of more than \$100,000.00 from an individual universal term contract established for the purchase of building repair services.

**SECTION 4.** Funds are deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 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 days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3432-2023

**Drafting Date:** 11/24/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**BACKGROUND:** Columbus Public Health has been awarded the 2024 Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County grant service contract for the Alcohol and Drug Services (ADS) and Neighborhood Social Services Divisions to fund the following projects: Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence. The funding for the projects totals \$1,854,955.81 from ADAMH and begins January 1, 2024 through December 31, 2024.

The Alcohol and Drug Services (ADS) Outpatient Treatment (General Claims) and Women’s Recovery/Treatment grant programs are primarily funded through the ADAMH Board of Franklin County and the grant programs also generate the following revenues which are to be appropriated; anticipated fiscal year 2024 client fees in the amount of \$177,576.00 and Medicaid in the amount of \$222,424.00 for a total appropriation of \$2,254,955.81. These funds will enable Columbus Public Health to continue to provide treatment, counseling and prevention services to men, women, children/families, homeless population and to serve clients referred by the criminal justice system.

The Alcohol and Drug Services (ADS) Prevention Program will serve clients, who may receive multiple services, through Columbus City Schools, After School/Summer programs, Latina Prevention programming, HIV/Early Intervention sites, Parenting classes, and Recreation Centers. Adults and family members will be served; children and adolescents will be served through youth programming; and transitional age youth will be served through youth mentoring, workforce development and programming. The ADS Comprehensive Treatment Program will provide treatment services to men and women through the provision of Biopsychosocial Assessments, Individual, Intensive Outpatient and Outpatient counseling. 70% of the population to be served are men and 30% will be women. The Medication Assisted Treatment (MAT) program will serve clients who will be prescribed Suboxone, Sublocade or Vivitrol. Additional clients needing MAT services may be served through our collaboration with a partner agency. This grant permits innovative ways to retain and support the engagement of group participants to include food incentives. A portion of the funds from this grant will be utilized to purchase food and beverages for client treatment and prevention groups throughout the year. The spending cap is \$25 per ADS staff member per group, not to exceed 12 groups per year. Any purchase of alcohol is strictly prohibited.

The Neighborhood Social Services (NSS) Gun Violence grant program will serve clients by creating a network of support for families after loss from paid peer supporters who have been through loss as well; the Grief Counseling grant program will serve clients by providing expedited access to grief counseling for families impacted by homicide.

This ordinance is submitted as an emergency as to allow the financial transaction to be posted in the City’s accounting system as soon as possible to avoid forfeiture of the grant funds.



**FISCAL IMPACT:** The Alcohol, Drug, and Mental Health Grant is fully funded by ADAMH Board of Franklin County and does not require a City match.

To authorize and direct the Board of Health to accept the grant service contract from the Alcohol, Drug and Mental Health (ADAMH) Board of Franklin County in the amount of \$1,854,955.81; to authorize the appropriation of \$2,254,955.81, which includes program revenues, to the Health Department in the Health Department Grants Fund; and to declare an emergency. (\$2,254,955.81)

**WHEREAS**, \$1,854,955.81 in grant funds have been made available through the Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County for the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs for the period of January 1, 2024 through December 31, 2024; and

**WHEREAS**, the Alcohol and Drug Services (ADS) program will generate client fees in the amount of \$177,576.00 and Medicaid fees in the amount of \$222,424.00; and,

**WHEREAS**, it is necessary to accept and appropriate these funds from the Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County for the continued support of the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs; and

**WHEREAS**, the City may receive additional funds awarded from the Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County for the support of the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs; and

**WHEREAS**, it is necessary to allow the City Auditor to transfer appropriations between object classes for the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs as needed upon request by the Columbus Public Health department.; and

**WHEREAS**, an emergency exists in that it is immediately necessary to authorize the Board of Health to accept the Alcohol, Drug, and Mental Health Grant from the ADAMH Board of Franklin County in order to avoid forfeiture of the grant funds, such immediate action being necessary for the immediate preservation of the public health, peace, property, safety, and welfare, **NOW, THEREFORE**,

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

**SECTION 1.** That the Board of Health is hereby authorized and directed to accept funding of \$1,854,955.81 from the Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County for the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs for the period of January 1, 2024 through December 31, 2024.

**SECTION 2.** The auditor’s office is authorized to adjust appropriations to match current awarded amounts per the attached template and authorized to adjust appropriations as required for future award amount changes from the grantor in the Health Department's Grants Fund, Fund No. 2251, and from all monies estimated to

come into said Fund from any and all sources during the grant period, the sum of \$2,254,955.81 upon receipt of an executed grant agreement, and any eligible interest earned during the grant period is hereby appropriated to the Health Department, Division No. 5001, according to the attached accounting document.

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

**SECTION 4.** That, 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 the Board of Health is hereby authorized and directed to accept any additional grant awards from the Alcohol, Drug And Mental Health (ADAMH) Board of Franklin County for the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs for the period of January 1, 2024 through December 31, 2024.

**SECTION 7.** That from the unappropriated monies 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 ended December 31, 2024 any additional awarded funds are appropriated in Fund 2251 according to notification of award or grant agreement by the grantor.

**SECTION 8.** That the City Auditor is hereby authorized to transfer appropriations between object classes for the Outpatient Treatment (General Claims); Women’s Recovery/Treatment; Prevention BLOCK Grants; Grief Counseling; and Gun Violence grant programs as needed upon request by the Columbus Public Health department.

**SECTION 9.** That the expenditure of a portion of the funds to purchase food and beverages for client treatment and prevention groups throughout the year where the spending cap is \$25 per ADS staff member per group, not to exceed 12 groups per year and the purchase of alcohol is strictly prohibited constitutes a proper public purpose.

**SECTION 10.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3435-2023

**Drafting Date:** 11/27/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Council Variance Application: CV23-125**

**APPLICANT:** JBAD; c/o David Hodge, Atty.; Underhill and Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Multi-unit residential development.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of four parcels in the AR-1, Apartment Residential District, divided by a public alley and previously developed with a former religious facility and parking lot. The requested Council variance will allow redevelopment of the site with 18 townhouse-style apartment units. The site is subject to Ordinance #0865-2021 (CV20-103), passed April 22, 2021, which allowed a 17-unit development that retained the former church tower and a site plan depicting seven unit on the northern portion and ten units on the southern portion of the site. This proposal replaces that site plan to remove the tower feature and add one additional unit with eight units on the northern portion, the "North Site," and ten units on the southern portion, the "South Site." A Council variance is necessary to allow parking spaces on the South Site to serve units on the North Site as the two portions are separated by a public alley. Additional variances for a reduction in the required number of parking spaces from 27 to 18, reduced vision clearance, reduced perimeter yards, increased lot coverage, reduced lot area, and reduced building lines are included in the request. The site is within the planning area of the *South Side Plan* (2014), which recommends "Medium-High Density Residential" and "Institutional" land uses. Staff finds the revised proposal to be supportable as it will allow a multi-unit residential development that is consistent with residential infill in urban neighborhoods, and is similar to the previously-approved proposal.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; 3312.49, Minimum number of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(c) (d), Basis of computing area; 3333.18, Building Lines; and 3333.255, Perimeter Yard, for the property located at **359 E. MARKISON AVE. (43207)**, to permit non-accessory parking and reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District, and to repeal Ordinance #0865-2021 (CV20-103), passed April 22, 2021 (Council Variance #CV23-125).

**WHEREAS**, by application #CV23-125, the owner of property at **359 E. MARKISON AVE. (43207)**, is requesting a Council variance to allow non-accessory parking and reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, does not allow parking for off-site uses, while the applicant proposes three non-accessory parking spaces on the South Site for units on the North Site; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit for a total of 27 required parking spaces for 18 units, while the applicant proposes 18 total parking spaces (five on the North Site and 13 on the South Site), with three parking spaces for the North Site located on the South Site; and

**WHEREAS**, Section 3321.05(B)(2), Vision clearance, requires that a 30-foot right angle clear vision triangle shall be maintained on each residential lot adjacent to a street intersection, while the applicant proposes a 15-foot right angle clear vision triangles at northwest corner of South Washington Avenue and East Markison Avenue (North Site), and at the southwest intersection of South Washington Avenue and East

Welch Avenue (South Site); and

**WHEREAS**, Section 3333.15(c)(d), Basis of computing area, limits buildings from occupying more than 50 percent of the lot area, and requires 20,000 square feet of lot area for a multiple dwelling development, while the applicant proposes a lot coverage of 63 percent on the South Site, and a lot area of 11,349 square feet for the multiple dwelling development on the North Site; and

**WHEREAS**, Section 3333.18(D), Building lines, requires a building line of no less than 25 feet along the public streets that abut the subject site, while the applicant proposes reduced building lines of five feet along East Markison Avenue and two feet along South Washington Avenue for the North Site, and zero feet along South Washington Avenue, and four feet along East Welch Avenue for the South Site, as demonstrated on the submitted site plan; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yards of zero feet along the west and south property lines of the North Site, and two feet along the west property line and zero feet along the north property line of the South Site, as demonstrated on the submitted site plan; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the request is consistent with surrounding housing types and densities and residential infill in urban neighborhoods, and does not introduce an incompatible use to the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed development; and

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **359 E. MARKISON AVE. (43207)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance is hereby granted from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential use; 3312.49, Minimum number of parking spaces required; 3321.05(B)(2), Vision clearance; 3333.15(c)(d), Basis of computing area; 3333.18, Building Lines; and 3333.255, Perimeter Yard; for the property located at **359 E. MARKISON AVE. (43207)**, insofar as said sections prohibit non-accessory parking in the AR-1, Apartment Residential District with three parking spaces located on the South Site to serve units on the North Site; a reduction in required parking spaces from 27 required to 18 provided spaces; a reduction in the clear vision triangles from 30 feet to 15 feet at the northwest corner of South Washington Avenue and East Markison Avenue (North Site) and at the southwest intersection of South Washington Avenue

and East Welch Avenue (South Site); an increase in maximum lot coverage from 50 percent to 63 percent on the South Site, and a reduced lot area from 20,000 to 11,349 square feet on the North Site; reduced building lines from 25 feet to five feet along East Markison Avenue and two feet along South Washington Avenue for the North Site, and zero feet along South Washington Avenue and four feet along East Welch Avenue for the South Site; and reduced perimeter yards from 25 feet to zero feet along the west and the south property lines of the North Site, and two feet along the west property line and zero feet along the south property line of the South Site, said property being more particularly described as follows; said property being more particularly described as follows:

**359 E. MARKISON AVE. (43207)**, being 0.61 ± acres located at the southwest corner of East Markison Avenue and South Washington Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Thirty-Six (36) of CHARLES KAUTZ'S ADDITION, as the same is numbered and delineated upon the recorded plat thereof,, of record in Plat Book 5, page 234, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-029091

Property Address: 0 Welch Avenue, Columbus, OH 43207

Also:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Thirty-Seven (37) of CHARLES KAUT'S ADDITION, as the same is numbered and delineated upon the recorded plat thereof,, of record in Plat Book 5, page 234, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-061553

Property Address: 0 Welch Avenue, Columbus, OH 43207

Also:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Thirty-Eight (38) of CHARLES KAUTZ'S ADDITION, as the same is numbered and delineated upon the recorded plat thereof,, of record in Plat Book 5, page 234, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-051321

Property Address: 0 Welch Avenue, Columbus, OH 43207

Also:

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of lots 18 and 19 and part of Lot 17

of Charles Kautz's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 234, Recorder's Office Franklin County, Ohio and being part of the land conveyed to KAC Management, LLC, as shown of record in Instrument No. 201606290082430 and being more particularly described as follows:

Beginning at an iron pipe set at the northeast corner of said Lot 19, being the intersection of the south line of Markison Avenue (60 feet wide) with the west line of Washington Avenue (50 feet wide);

Thence along the east line of said Lot 19, the west line of said Washington Avenue, South 02° 31' 20" East, 135.00 feet to a found 1" dia iron pipe at the southeast corner of said Lot 19, the intersection of the west line of said Washington Avenue with the north line of an alley (20 feet wide);

Thence, along the south line of said Lots 19, 18 and part of said Lot 17, along the north line of said alley, South 87° 56' 00" West, 84.00 feet to a mag nail set;  
Thence, across said Lot 17, North 02° 31' 20" West, 135.00 feet to an iron pipe set on the north line of said Lot 17, the south line of said Markison Avenue;

Thence, along part of the north line of said Lot 17, along the north line of said Lots 18 and 19, along the south line of said Markison Avenue, North 87° 56' 00" East, 84.00 feet to the place of beginning CONTAINING 0.260 ACRES, subject however to all legal highways, leases, easements and restrictions of record and of records in the respective utility offices. Iron pipes set are 30"x1" dia with an orange plastic cap inscribed "Myers PS 6579". The basis of bearings is the south line of Markison Avenue assumed as North 87° 56' 00" East. The foregoing description was prepared from an actual boundary survey by Myers Surveying Company Inc. In August, 2015.

Property Address: 359 E. Markison Ave., Columbus, Ohio 43207  
Parcel Nos.: 010-297819, 010-051321, 010-108668, 010-061553 and 010-029091

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a multi-unit residential development with up to 18 units, or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plans titled, "**PROPOSED SITE PLAN**," signed by Eric Zartman, Attorney for the Applicant, and dated November 17, 2023. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed development.

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

**SECTION 6.** That Ordinance #0865-2021 (CV20-103), passed April 22, 2021, be and is hereby repealed.

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**Legislation Number:** 3436-2023

**Drafting Date:** 11/27/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Rezoning Application Z22-095**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Multi-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on March 9, 2023.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 14.55± acre site consists of three parcels each developed with a single-unit dwelling. The northern parcel is in the R, Rural District, and the southern two parcels have been annexed into the City of Columbus from Plain Township. A small portion of the western side of the site is within the flood plain. The requested AR-1, Apartment Residential District will permit redevelopment of the site with a multi-unit residential development containing up to 36.3 dwelling units per acre. Although the proposed density is higher than the *Rocky Fork - Blacklick Accord (2003)* land use recommendation for “Village Residential” uses at this location, Staff supports the requested district as it is consistent with neighboring multi-unit residential developments. A concurrent Council Variance (Ordinance #3437-2023; CV22-144) is also being considered, and includes building line and perimeter yard reductions.

To rezone **6935 HARLEM RD. (43081)**, being 14.88± acres located on the west side of Harlem Road, 400± feet north of Central College Road, **From:** R, Rural District, **To:** AR-1, Apartment Residential District (Rezoning #Z22-095).

**WHEREAS**, application #Z22-095 is on file with the Department of Building and Zoning Services requesting rezoning of 14.88± acres from R, Rural District, to AR-1, Apartment Residential District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested AR-1, Apartment Residential District is consistent with surrounding multi-unit residential developments; now, therefore:

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

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

**6935 HARLEM RD. (43081)**, being 14.55± acres located on the west side of Harlem Road, 400± feet north

of Central College Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, City of Columbus, being in Quarter Township 2, Township 2, Range 16, United States Military Lands and containing 15.08+/- acres, said 15.08+/- acres being all of that 5.068 acre tract of land as conveyed to Vincent E. Golden & Karen S. Golden of record in Official Record 6405, Page D06, all of that 5.017 acre tract of land as conveyed to Jeff D. Miller and Tina M. Miller of record in Official Record 5283, Page A06 and all of that 5.012 acre tract of land as conveyed to Mark M. Sowle and Lesley A. Sowle of record in Instrument No. 200404130081712, said 15.08+/- more particularly described as follows;

Beginning, at the northeasterly corner of said 5.068 acre tract of land, said corner also being the southeasterly corner of that 4.548 acre tract of land as conveyed to Norman D. Singer & Lois Singer of record in Instrument No. 201907250091746 and being in the centerline of Harlem Road (R/W Varies);

Thence S 02° 36' 53" E, with the easterly lines of said 5.068 acre tract, said 5.017 acre tract and said 5.012 acre tract and also along the centerline of said Harlem Road (R/W Varies) 461.78+/- feet to the southeasterly corner of said 5.012 acre tract;

Thence N 85° 27' 06" W, with the southerly line of said 5.012 acre tract, the northerly line of that 2.00 acre tract as conveyed to Frederick L Williamson of record in Official Record 23435, Page G17, the northerly line of that 2.00 acre tract of land as conveyed to Paula J Jenkins and Martha J Marcum of record in Instrument No. 201606010068498, the northerly line of that 1.00 acre tract of land as conveyed to Offerpad SPE Borrower A LLC of record in Instrument No. 20220527008050569, the northerly line of that Orig. 2.00 acre tract of land as conveyed to Morad S. Tawfik & Amany W. Tawfik of record in Official Record 35007, Page B08, the northerly line of that 2.00 acre tract of land as conveyed to 5582 Central College Rd, LLC of record in Instrument No. 202003300043369, the northerly line of that 2.045 acre tract of land as conveyed to 5536 Central Col Rd, LLC of record in Instrument No. 202112130225730 and partially with the northerly line of that Orig. 6.460 acre tract of land as conveyed to Sean Moran & Jean L. Moran of record in Instrument No. 202105190089221, 1427.90+/- feet to a southwesterly corner of said 5.012 acre tract, also being the southeasterly corner of that 5.619 acre tract of land as conveyed to Brandon Muirfield of record in Instrument No. 202107220129689;

Thence N 03° 34' 17" E, with the westerly lines of said 5.012 acre tract, said 5.017 acre tract and said 5.068 acre tract and the easterly line of said 5.619 acre tract, 759.48+/- feet to a common corner of said 5.068 acre tract and said 5.619 acre tract, said corner also being in the southerly line of that 20.671 acre tract of land as conveyed to Pulte Homes of Ohio LLC of record in Instrument No. 202010070153192;

Thence with common lines of said 5.068 acre tract and said 20.671 acre tract, the following five courses and distances:

N 67° 18' 38" E, 29.41+/- feet to a common corner thereof;

S 87° 19' 45" E, 65.83+/- feet to a common corner thereof;

S 00° 25' 39" W, 379.93+/- feet to a common corner thereof;

S 86° 49' 18" E, 296.62+/- feet to a common corner thereof;



N 04° 16' 45" E, 55.04+/- feet to a northwesterly corner of said 5.068 acre tract and a southwesterly corner of said 4.548 acre tract;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said 4.548 acre tract, 967.75+/- feet to the True Point of Beginning. Containing 15.08+/- acres, more or less.

**EXCLUDING THEREFROM:**

**TRACT 1**

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.173 acres of land, said 0.173 acres being out of a 5.068 acre tract of land conveyed to Vincent E. and Karen S. Golden in Deed Book 6405D06, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said 5.068 acre tract, the southeast corner of a 4.548 acre tract of land conveyed to Norman D. and Lois Singer in Instrument Number 201907250091746, the southeasterly corner of a 0.391 acre highway easement conveyed to the County of Franklin in Deed Book 3699, Pg. 34, being on the centerline of Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, being on the west line of a 1.183 acre tract of land conveyed to Kahrman M. McKenzie in Instrument Number 201508140112899, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 426.26 feet from said point on the centerline of said Harlem Road (Public, R/W Varies), and referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 759.35 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) and Central College Road;

Thence S 02° 36' 53" E, with the east line of said 5.068 acre tract, the west line of said 1.183 acre tract, the west line of a 2.36 acre tract of land conveyed to Charles D. and Bernice Ayivor in Instrument Number 202111300217075, and the centerline of said Harlem Road (Public, R/W Varies), 150.55 feet to a mag nail set on the southeast corner of said 5.068 acre tract, the west line of said 2.36 acre tract, and the northeast corner of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1;

Thence N 85° 27' 06" W, with the common line of said 5.068 acre tract, said Parcel 1, and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to an iron pin set;

Thence N 02° 36' 53" W, across said 5.068 acre tract, 150.55 feet to an iron pin set on the common line of said 5.068 acre tract and said 4.548 acre tract;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said 4.548 acre tract and across the right-of-way of said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 20.00 feet), 50.39 feet to the True Point of Beginning, containing 0.173 acre acres more or less inclusive of the present right-of-way which occupies 0.104 acres more or less.

**TRACT 2**

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.177 acres of land, said 0.177 acres being out of a 5.012 acre tract of land conveyed to Mark M. and Lesley A. Sowle in Instrument Number 200404130081712 and Deed Book 3159A07, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said 5.012 acre tract, the southeast corner of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1, being on the west line of a 1.533 acre tract of land conveyed to James W. Bryant in Instrument Number 200211010278107, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 733.24 feet from said point on the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 602.36 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, and Central College Road, and being on the centerline of Harlem Road (Public, R/W Varies);

Thence S 02° 36' 53" E, with the east line of said 5.012 acre tract, the west line of said 1.533 acre tract, and the centerline of said Harlem Road (Public, R/W Varies), 154.24 feet to a mag nail set on southeast corner of said 5.012 acre tract, the southwest corner of said 1.533 acre tract, a northeasterly corner of a 0.5167 acre tract of land conveyed to the City of Columbus in Instrument Number 201907290093255, and being on the centerline of said Harlem Road (Public, R/W Varies);

Thence N 85° 27' 06" W, with the south line of said 5.012 acre tract, the north line of said 0.5167 acre tract, the north line of a 2.00 acre tract of land conveyed to Frederick L. Williamson in Deed Book 23435G17, and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to an iron pin set on the common line of said 5.012 acre tract and said 2.00 acre tract;

Thence N 02° 36' 53" W, across said 5.012 acre tract, 154.24 feet to an iron pin set on the north line of said 5.012 acre tract and the south line of said Parcel 1;

Thence S 85° 27' 06" E, with the common line of said 5.012 acre tract and said Parcel 1 and across said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 20.00 feet), 50.39 feet to the True Point of Beginning, containing 0.177 acres more or less inclusive of the present right-of-way which occupies 0.106 acres more or less.

### **TRACT 3**

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.180 acres of land, said 0.180 acres being out of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said Parcel 1, the southeast corner of a 5.068 acre tract of land conveyed to Vincent E. and Karen S. Golden in Deed Book 6405D06, being on the west line of a 2.36 acre tract of land conveyed to Charles D. and Bernice Ayivor in Instrument Number 202111300217075, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 576.26 feet from said point on the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, and referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 759.35 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) and Central College Road;

Thence S 02° 36' 53" E, with the east line of said Parcel 1, the west line of said 2.36 acre tract, the west line of a 1.533 acre tract of land conveyed to James W. Bryant in Instrument Number 200211010278107, and with the centerline of said Harlem Road (Public, R/W Varies), 156.99 feet to a mag nail set on the southeast corner of said Parcel 1, the northeast corner of a 5.012 acre tract of land conveyed to Mark M. and Lesley A. Sowle in

Instrument Number 200404130081712 and Deed Book 3159A07, being on the west line of said 1.533 acre tract, and being on the centerline of said Harlem Road (Public, R/W Varies);

Thence N 85° 27' 06" W, with the common line of said Parcel 1 and said 5.012 acre tract and across the right-of-way of said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 30.00 feet), 50.39 feet to an iron pin set on the common line of said Parcel 1 and said 5.012 acre tract;

Thence N 02° 36' 53" W, across said Parcel 1, 156.99 feet to an iron pin set on the common line of said 5.068 acre tract and said Parcel 1;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said Parcel 1 and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to the True Point of Beginning, containing 0.180 acres more or less inclusive of the present right-of-way which occupies 0.108 acres more or less.

Property Address: 6935 Harlem Rd., Columbus, OH 43081.

**To Rezone From:** R, Rural District,

**To:** AR-1, Apartment Residential District.

**SECTION 2.** That a Height District of sixty (60) feet is hereby established on the AR-1, Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

**SECTION 4.** That the traffic-related commitments for this area have been established and are contained in the commitments for Council Variance application #CV22-114, Ordinance #3437-2023.

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

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**Legislation Number:** 3437-2023

**Drafting Date:** 11/27/2023

**Version:** 2

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Council Variance Application: CV22-144**

**APPLICANT:** Preferred Living; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Multi-unit residential development.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a

recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #3346-2023; Z22-095) to the AR-1, Apartment Residential District. The applicant proposes an apartment complex with up to 282 units. Variances for building line and perimeter yard are included in the request. Staff finds the requested variances to be supportable as they will allow multi-unit residential development that is consistent with neighboring multi-unit residential developments.

To grant a Variance from the provisions of Sections 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **6935 HARLEM RD. (43081)**, to allow reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District (Council Variance #CV22-144).

**WHEREAS**, by application #CV22-144, the owner of property at **6935 HARLEM RD. (43081)**, is requesting a Council variance to allow reduced development standards for a multi-unit residential development in the AR-1, Apartment Residential District; and

**WHEREAS**, 3333.18, Building lines, requires a minimum building line equal to one-half of the designated right-of-way for Harlem Road requiring a minimum building line of 40 feet, while the applicant proposes a reduced building line of 23 feet and to allow above ground hot box and/or water vault within the front setback; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes a reduced perimeter yard of 5 feet on the south perimeter line, as depicted on the Site Plan; and

**WHEREAS**, the City Departments recommend approval of the requested variances as the proposal as it is consistent with neighboring multi-unit residential developments; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; and

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **6935 HARLEM RD. (43081)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **6935 HARLEM RD. (43081)**, insofar as said sections prohibit a reduced building line from 40 feet to 23 feet along Harlem Road; and reduced perimeter yard from 25 feet to 5 feet along the southern property line, said property being more particularly described as follows:

**6935 HARLEM RD. (43081)**, being 14.88± acres located on the west side of Harlem Road, 400± feet north of Central College Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, City of Columbus, being in Quarter Township 2, Township 2, Range 16, United States Military Lands and containing 15.08+/- acres, said 15.08+/- acres being all of that 5.068 acre tract of land as conveyed to Vincent E. Golden & Karen S. Golden of record in Official Record 6405, Page D06, all of that 5.017 acre tract of land as conveyed to Jeff D. Miller and Tina M. Miller of record in Official Record 5283, Page A06 and all of that 5.012 acre tract of land as conveyed to Mark M. Sowle and Lesley A. Sowle of record in Instrument No. 200404130081712, said 15.08+/- more particularly described as follows;

Beginning, at the northeasterly corner of said 5.068 acre tract of land, said corner also being the southeasterly corner of that 4.548 acre tract of land as conveyed to Norman D. Singer & Lois Singer of record in Instrument No. 201907250091746 and being in the centerline of Harlem Road (R/W Varies);

Thence S 02° 36' 53" E, with the easterly lines of said 5.068 acre tract, said 5.017 acre tract and said 5.012 acre tract and also along the centerline of said Harlem Road (R/W Varies) 461.78+/- feet to the southeasterly corner of said 5.012 acre tract;

Thence N 85° 27' 06" W, with the southerly line of said 5.012 acre tract, the northerly line of that 2.00 acre tract as conveyed to Frederick L Williamson of record in Official Record 23435, Page G17, the northerly line of that 2.00 acre tract of land as conveyed to Paula J Jenkins and Martha J Marcum of record in Instrument No. 201606010068498, the northerly line of that 1.00 acre tract of land as conveyed to Offerpad SPE Borrower A LLC of record in Instrument No. 20220527008050569, the northerly line of that Orig. 2.00 acre tract of land as conveyed to Morad S. Tawfik & Amany W. Tawfik of record in Official Record 35007, Page B08, the northerly line of that 2.00 acre tract of land as conveyed to 5582 Central College Rd, LLC of record in Instrument No. 202003300043369, the northerly line of that 2.045 acre tract of land as conveyed to 5536 Central Col Rd, LLC of record in Instrument No. 202112130225730 and partially with the northerly line of that Orig. 6.460 acre tract of land as conveyed to Sean Moran & Jean L. Moran of record in Instrument No. 202105190089221, 1427.90+/- feet to a southwesterly corner of said 5.012 acre tract, also being the southeasterly corner of that 5.619 acre tract of land as conveyed to Brandon Muirfield of record in Instrument No. 202107220129689;

Thence N 03° 34' 17" E, with the westerly lines of said 5.012 acre tract, said 5.017 acre tract and said 5.068 acre tract and the easterly line of said 5.619 acre tract, 759.48+/- feet to a common corner of said 5.068 acre tract and said 5.619 acre tract, said corner also being in the southerly line of that 20.671 acre tract of land as conveyed to Pulte Homes of Ohio LLC of record in Instrument No. 202010070153192;

Thence with common lines of said 5.068 acre tract and said 20.671 acre tract, the following five courses and distances:

N 67° 18' 38" E, 29.41+/- feet to a common corner thereof;

S 87° 19' 45" E, 65.83+/- feet to a common corner thereof;

S 00° 25' 39" W, 379.93+/- feet to a common corner thereof;

S 86° 49' 18" E, 296.62+/- feet to a common corner thereof;

N 04° 16' 45" E, 55.04+/- feet to a northwesterly corner of said 5.068 acre tract and a southwesterly corner of said 4.548 acre tract;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said 4.548 acre tract, 967.75+/- feet to the True Point of Beginning. Containing 15.08+/- acres, more or less.

EXCLUDING THEREFROM:

#### TRACT 1

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.173 acres of land, said 0.173 acres being out of a 5.068 acre tract of land conveyed to Vincent E. and Karen S. Golden in Deed Book 6405D06, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said 5.068 acre tract, the southeast corner of a 4.548 acre tract of land conveyed to Norman D. and Lois Singer in Instrument Number 201907250091746, the southeasterly corner of a 0.391 acre highway easement conveyed to the County of Franklin in Deed Book 3699, Pg. 34, being on the centerline of Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, being on the west line of a 1.183 acre tract of land conveyed to Kahrman M. McKenzie in Instrument Number 201508140112899, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 426.26 feet from said point on the centerline of said Harlem Road (Public, R/W Varies), and referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 759.35 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) and Central College Road;

Thence S 02° 36' 53" E, with the east line of said 5.068 acre tract, the west line of said 1.183 acre tract, the west line of a 2.36 acre tract of land conveyed to Charles D. and Bernice Ayivor in Instrument Number 202111300217075, and the centerline of said Harlem Road (Public, R/W Varies), 150.55 feet to a mag nail set on the southeast corner of said 5.068 acre tract, the west line of said 2.36 acre tract, and the northeast corner of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1;

Thence N 85° 27' 06" W, with the common line of said 5.068 acre tract, said Parcel 1, and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to an iron pin set;

Thence N 02° 36' 53" W, across said 5.068 acre tract, 150.55 feet to an iron pin set on the common line of said 5.068 acre tract and said 4.548 acre tract;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said 4.548 acre tract and across the right-of-way of said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 20.00 feet), 50.39 feet to the True Point of Beginning, containing 0.173 acre acres more or less inclusive of the present right-of-way which occupies 0.104 acres more or less.

#### TRACT 2

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.177 acres of land, said 0.177 acres being out of a 5.012 acre tract of

land conveyed to Mark M. and Lesley A. Sowle in Instrument Number 200404130081712 and Deed Book 3159A07, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said 5.012 acre tract, the southeast corner of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1, being on the west line of a 1.533 acre tract of land conveyed to James W. Bryant in Instrument Number 200211010278107, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 733.24 feet from said point on the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 602.36 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, and Central College Road, and being on the centerline of Harlem Road (Public, R/W Varies);

Thence S 02° 36' 53" E, with the east line of said 5.012 acre tract, the west line of said 1.533 acre tract, and the centerline of said Harlem Road (Public, R/W Varies), 154.24 feet to a mag nail set on southeast corner of said 5.012 acre tract, the southwest corner of said 1.533 acre tract, a northeasterly corner of a 0.5167 acre tract of land conveyed to the City of Columbus in Instrument Number 201907290093255, and being on the centerline of said Harlem Road (Public, R/W Varies);

Thence N 85° 27' 06" W, with the south line of said 5.012 acre tract, the north line of said 0.5167 acre tract, the north line of a 2.00 acre tract of land conveyed to Frederick L. Williamson in Deed Book 23435G17, and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to an iron pin set on the common line of said 5.012 acre tract and said 2.00 acre tract;

Thence N 02° 36' 53" W, across said 5.012 acre tract, 154.24 feet to an iron pin set on the north line of said 5.012 acre tract and the south line of said Parcel 1;

Thence S 85° 27' 06" E, with the common line of said 5.012 acre tract and said Parcel 1 and across said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 20.00 feet), 50.39 feet to the True Point of Beginning, containing 0.177 acres more or less inclusive of the present right-of-way which occupies 0.106 acres more or less.

### TRACT 3

Situated in the City of Columbus, the State of Ohio, County of Franklin, Section 2, Township 2, Range 16, United States Military District and containing 0.180 acres of land, said 0.180 acres being out of a 5.017 acre tract of land conveyed to Jeff D. and Tina M. Miller in Deed Book 5283A06 as Parcel 1, and being more particularly described as follows;

Beginning at a mag nail set on the northeast corner of said Parcel 1, the southeast corner of a 5.068 acre tract of land conveyed to Vincent E. and Karen S. Golden in Deed Book 6405D06, being on the west line of a 2.36 acre tract of land conveyed to Charles D. and Bernice Ayivor in Instrument Number 202111300217075, referencing a found Franklin County Monument "FCGS 1375" N 02° 36' 53" W, 576.26 feet from said point on the centerline of said Harlem Road (Public, R/W Varies) as dedicated in Road Record 19, Pg. 39, and referencing a found Franklin County Monument "FCGS 1825" S 02° 36' 53" E, 759.35 feet from said point on the intersection of the centerline of said Harlem Road (Public, R/W Varies) and Central College Road;

Thence S 02° 36' 53" E, with the east line of said Parcel 1, the west line of said 2.36 acre tract, the west line of a 1.533 acre tract of land conveyed to James W. Bryant in Instrument Number 200211010278107, and with the

centerline of said Harlem Road (Public, R/W Varies), 156.99 feet to a mag nail set on the southeast corner of said Parcel 1, the northeast corner of a 5.012 acre tract of land conveyed to Mark M. and Lesley A. Sowle in Instrument Number 200404130081712 and Deed Book 3159A07, being on the west line of said 1.533 acre tract, and being on the centerline of said Harlem Road (Public, R/W Varies);

Thence N 85° 27' 06" W, with the common line of said Parcel 1 and said 5.012 acre tract and across the right-of-way of said Harlem Road (Public, R/W Varies) (passing a bent 3/4" iron pipe found at 30.00 feet), 50.39 feet to an iron pin set on the common line of said Parcel 1 and said 5.012 acre tract;

Thence N 02° 36' 53" W, across said Parcel 1, 156.99 feet to an iron pin set on the common line of said 5.068 acre tract and said Parcel 1;

Thence S 85° 27' 06" E, with the common line of said 5.068 acre tract and said Parcel 1 and across the right-of-way of said Harlem Road (Public, R/W Varies), 50.39 feet to the True Point of Beginning, containing 0.180 acres more or less inclusive of the present right-of-way which occupies 0.108 acres more or less.

Property Address: 6935 Harlem Rd., Columbus, OH 43081.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 282-unit apartment complex, or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**ZONING SITE PLAN**," signed by Eric Zartman, Attorney for the Applicant, and dated November 24, 2023. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the following traffic-related commitments:

1. The developer shall be responsible for a contribution of \$370,152.21 to the Department of Public Service to be applied toward future roadway improvements ~~between the proposed site access point to~~ **at the intersection of Harlem Road and Central College Road.**
2. This requirement may be modified or amended with the approval of the Director of the Department of Public Service without requiring City Council approval.

**SECTION 5.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed development.

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

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**Legislation Number:** 3439-2023

**Drafting Date:** 11/27/2023

**Current Status:** Passed



**BACKGROUND**

This legislation authorizes the Director of the Department of Development to modify a contract with Evolved Plumbing and Mechanical LLC to increase the contract amount by \$40,000.00 to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program. This increase is the result of unanticipated increases in service demand compared to the previous year. Contract terms and pricing will not change.

Original contract amount	\$ 40,000.00	Ord. 0333-2022	PO316894
Modification No. 1 amount	\$100,000.00	Ord. 1157-2022	PO326794
Renewal/Mod No. 2 amount	\$ 10,000.00	Ord. 2879-2022	PO361018
Modification No. 3 amount	\$100,000.00	Ord. 0326-2023	PO369916
Modification No. 4 amount	\$100,000.00	Ord. 1523-2023	PO394811
Modification No. 5 amount	\$ 15,000.00	Ord. 1694-2023	PO401577
Modification No. 6 amount	<u>\$ 40,000.00</u>		
 Total contract amount	 \$405,000.00		

The department advertised RFQ020531 on Vendor Services seeking contractors to provide emergency mechanical repairs on November 22, 2021 with bids being due on December 16, 2021. The Emergency Repair Program is a home repair program operated by the Housing Division. The program was established to assist low and moderate income homeowners with plumbing, sewer repair/replacement, water line repair/replacement, hot water tanks, furnaces, and electrical issues that would impact a household remaining safely in their home. Most homeowners are at or below 50% AMI as defined by HUD with exceptions allowed up to 80% AMI.

A comprehensive RFQ was done in 2021 for these services, and contractors were identified at that time. A new RFQ is currently underway. Prices were initially established with the original contract awarded from RFQ020531.

In May 2022, Columbus City Council approved ordinance 1157-2022 to modify the contract to add additional funds. The contract term did not change.

In November 2022, Columbus City Council approved ordinance 2879-2022 to renew the contract for one additional year and to add additional funds.

In February 2023, Columbus City Council approved ordinance 0326-2023 to modify the contract to add additional funds. The contract term did not change.

In June 2023, Columbus City Council approved ordinance 1523-2023 to modify the contract to add additional funds. The contract term did not change.

In July 2023, Columbus City Council approved ordinance 1694-2023 to modify the contract to add additional funds. The contract term did not change.

This legislation will modify the contract to add additional funds. The contract terms will not change.

Emergency action is requested to allow program services to continue without interruption. Existing program funds are diminishing and the program is near ceasing services.

**FISCAL IMPACT:** Funding is available within the Development Taxable Bond Fund.

**CONTRACT COMPLIANCE:** the vendor number is 030026 and expires 3/11/2024.

To authorize the Director of the Department of Development to modify a contract with Evolved Plumbing and Mechanical LLC; to authorize the expenditure of \$40,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$40,000.00)

**WHEREAS**, the Director of Development has identified the need to modify a contract with Evolved Plumbing and Mechanical LLC to increase the contract amount by \$40,000.00 to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program; and

**WHEREAS**, the Department of Development advertised RFQ020531 on Vendor Services seeking contractors to provide emergency mechanical repairs on November 22, 2021 and the Director of Development entered into contract with Evolved Plumbing and Mechanical LLC under the authority of Columbus City Code Section 329.19; and

**WHEREAS**, Columbus City Council approved ordinance 0333-2022 to enter into contract with Evolved Mechanical, LLC; and

**WHEREAS**, Columbus City Council approved ordinance 1157-2022 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 2879-2022 to renew the contract for one additional year and to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 0326-2023 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 1523-2023 to modify the contract to add additional funds; and

**WHEREAS**, Columbus City Council approved ordinance 1694-2023 to modify the contract to add additional funds; and

**WHEREAS**, , an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to modify the contract with Evolved Plumbing and Mechanical LLC to allow program services to continue without interruption, all for the preservation of the public health, peace, property, safety and welfare; and; **NOW THEREFORE**,

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

**SECTION 1.** That the Director of Development be and is hereby authorized modify a contract with Evolved Plumbing and Mechanical LLC in an amount up to \$40,000.00, to provide residential emergency repair services as part of the Division of Housing’s Emergency Repair Program.

**SECTION 2.** That for the purpose as stated in Section 1, the expenditure of \$40,000.00, or so much thereof as may be necessary, is hereby authorized in fund 7739 (Development Taxable Bonds), Project P782001-100000, Dept. 44 10 (Housing), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3446-2023

**Drafting Date:** 11/27/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into a grant agreement with Creating Central Ohio Futures in support of the Building Futures and Driving Futures programs.

Creating Central Ohio Futures is a workforce development non-profit with a mission to put people on a clear pathway to the middle class. Across all programs, Creating Central Ohio Futures has achieved an 89% employment rate and an average wage of \$23.29 for clients, translating to increased opportunities for Columbus residents.

Building Futures is an award-winning program that equips members of underserved communities with life-skills, and teaches basic construction skills to prepare participants for a building trades apprenticeship. This 12-week program is designed for individuals who are unemployed or under-employed and sets participants up to earn a living wage through the construction industry with health and retirement benefits. Training in critical skills such as financial literacy, math, and reading are also included.

Driving Futures provides similar programming and support, but leads to driving school rather than a construction pathway. The program includes the cost of obtaining a Commercial Driver License (CDL) and assistance with job placement after completing the CDL training.

Support from Columbus City Council will support both Building Futures and Driving Futures. This grant will increase the number of Columbus residents Creating Central Ohio Futures is able to serve by increasing wraparound supports, staff capacity, and upgrading training space.

**Fiscal Impact:** Funding is available within the Job Growth subfund.

To authorize the City Clerk to enter into a grant agreement with Creating Central Ohio Futures to support the Building Futures and Driving Futures programs; and to authorize an appropriation and expenditure within the Job Growth subfund. (\$100,000.00)

**WHEREAS**, Creating Central Ohio Futures is a workforce development non-profit with a mission to put people on a clear pathway to the middle class; and

**WHEREAS**, the need for workers in the both the construction and commercial driving spaces continues to grow in Ohio, creating pathways to family-supporting wages and benefits in these industries; and

**WHEREAS**, Columbus City Council seeks to promote pathways out of poverty and good-paying jobs; and

**WHEREAS**, Creating Central Ohio Futures' programs support the development of both technical and soft skills for those pursuing careers in the building trades and in commercial driving; and

**WHEREAS**, it is necessary to authorize the City Clerk to enter into a grant agreement with Creating Central Ohio Futures in support of the Building Futures and Driving Futures programs, in an amount of up to \$100,000.00; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Clerk is hereby authorized to enter into a grant agreement with Creating Central Ohio Futures in support of the Building Futures and Driving Futures programs.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$100,000.00 in the Job Growth subfund, fund 1000, subfund 100015, to the City Clerk per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$100,000.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance, is hereby authorized in the Job Growth subfund, fund 1000, subfund 100015 per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3447-2023

**Drafting Date:** 11/27/2023

**Current Status:** Passed

## BACKGROUND

In 2016 and 2017, the City of Columbus commissioned a study from HR&A on the effectiveness of the City’s economic development incentives, including real property tax abatements in Community Reinvestment Areas (“CRAs”). Based on the results of the study, the City revised its policies concerning CRA abatements, and decided to encourage the development of affordable housing by conditioning the provision of CRA abatements, in certain circumstances, on the inclusion of affordable housing.

In July 2018, City Council passed Ordinance No. 2184-2018, adopting Chapter 4565 of the Columbus City Codes to require certain entities seeking CRA abatements in Post-1994 CRAs to meet certain affordable housing requirements.

Pursuant to Chapter 4565, the affordable housing requirements applicable to any particular development project depends on whether the CRA in which the project will be constructed is designated as Market Ready, Ready for Revitalization, or Ready for Opportunity (the “Area Designations”). Generally speaking, the Area Designations reflect the extent to which housing within the CRA is blighted. Development projects located in areas with less blight must satisfy higher affordable housing requirements in order to receive the abatement.

Pursuant to Chapter 4565, the Area Designation assigned to each CRA must be reassessed every three years.

This code change will adopt certain administrative modifications to Chapter 4565, and enact new Section 4565.10 to provide for a process whereby the affordable housing requirements for owner-occupied housing may be waived, first through an application to the Director of the Department of Development, with a right of appeal to the CRA Housing Council pursuant to Ohio Revised Code Sections 3735.69 through 3735.70.

To repeal and replace existing Chapter 4565 of the Columbus City Codes to incorporate certain administrative modifications; and to enact Section 4565.10 of the Columbus City Codes to provide a waiver process related to affordability requirements for owner-occupied housing units.

**WHEREAS**, in 2016 and 2017 the City of Columbus commissioned and received a study from HR&A on the effectiveness of its economic development incentives, including real property tax abatements in Community Reinvestment Areas; and

**WHEREAS**, in response to the study, the City developed a revised incentive policy to encourage the development of affordable housing in CRAs in stronger market areas within the City by requiring developers to construct affordable housing in consideration of the City granting the developer a tax abatement; and

**WHEREAS**, in July 2018, City Council passed Ordinance No. 2184-2018, amending Title 45 of the Columbus City Codes to add Chapter 4565 embodying the City’s new residential CRA incentive policy for Post-1994 CRAs; and

**WHEREAS**, Chapter 4565 of the Columbus City Codes empowers the Director of the Department of Development to assign each residential CRA within the City one of three housing Area Designations: Market Ready, Ready for Revitalization, or Ready for Opportunity; and

**WHEREAS**, in accordance with the foregoing, Chapter 4565 requires certain property owners in Market Ready, Ready for Revitalization, and Ready for Opportunity areas to satisfy certain affordable housing requirements to receive a CRA abatement; and

**WHEREAS**, Chapter 4565 requires the Director to reassess the Area Designations assigned to each post-1994 CRA every three years to evaluate current market conditions based on the criteria outlined in Chapter 4565; and

**WHEREAS**, Chapter 4565 was updated in 2022 with the passage of 1843-2022; and

**WHEREAS**, it is now necessary to amend Chapter 4565 in order to make certain administrative modifications and to enact new Section 4565.10 to provide a waiver process related to the affordability requirements of owner-occupied housing developments; **NOW, THEREFORE,**

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

**SECTION 1.** That Sections 4565.01, 4565.02, 4565.03, 4565.04, 4565.05, 4565.06, 4565.07, 4565.08, and 4565.09 of the Columbus City Codes are hereby repealed and replaced as identified and included in Exhibit A, attached hereto and incorporated as if fully rewritten herein, with deletions stricken, and new language underlined.

**SECTION 2.** That new Section 4565.10 of the Columbus City Codes is hereby enacted as identified in Exhibit A, attached hereto and incorporated as if fully rewritten herein, with new language underlined.

**SECTION 3.** That all sections of Chapter 4565 not repealed and amended herein remain in full force and effect.

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

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**Legislation Number:** 3448-2023

**Drafting Date:** 11/27/2023

**Version:** 2

**Current Status:** Passed

**Matter** Ordinance

**Type:**

To create the Columbus Housing Community Reinvestment Area (CHCRA); to authorize real property tax exemptions as authorized by Chapter 3735 of the Ohio Revised Code (ORC); to provide that the City’s existing Community Reinvestment Area Housing Council shall serve as the Housing Council for the CHCRA; to designate the Housing Administrator as the Housing Officer for the CHCRA; and to repeal various ordinances establishing or amending currently existing Community Reinvestment Areas that will be absorbed into the boundary of the CHCRA.

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**Legislation Number:** 3449-2023

Drafting Date: 11/27/2023

Current Status: Passed

Version: 1

Matter Ordinance

Type:

**BACKGROUND:** This legislation authorizes an amendment to Ordinance No. 3221-2018, passed by Columbus City Council on March 11, 2019, as amended by Ordinance 3169-2022, passed by Columbus City Council on December 4, 2022, for the purpose of changing the Department of Development’s fee schedule that supports the Department’s administrative and project costs associated with administering the Departments economic development programs. An amendment is needed for the purpose of changing the Department of Development/Economic Development Division’s Fee Schedule.

Through the use of targeted programs and incentives, the Department of Development encouraged the development of affordable housing, the creation of new and retained jobs, leveraged private investment and the enforcement of the City Code. Fee schedules have been developed for the following divisions within the Department of Development: Economic Development, Housing, Land Redevelopment.

To amend Ordinance Number 3221-2018, passed by Columbus City Council on March 11, 2019, as amended by Ordinance 3169-2022, passed by Columbus City Council on December 4, 2022, for the purpose of changing the Department of Development/Economic Development Division’s Fee Schedule for fees that support the Department’s administrative and project cost associated with administering Department programs.

To amend Ordinance Number 3221-2018, as amended by Ordinance 3169-2022, for the purpose of changing the Department of Development/Economic Development Division’s Fee Schedule for fees that support the Department’s administrative and project costs associated with administering Department programs.

**WHEREAS,** the City of Columbus, per Ordinance Number 3221-2018, passed by Columbus City Council on March 11, 2019, as amended by Ordinance 3169-2022, passed by Columbus City Council on December 4, 2022, authorized the Director of the Department of Development to establish a fee schedule that supports the Department’s administrative and project costs associated with administering programs of the Department of Development; and

**WHEREAS,** through the use of targeted programs and incentives, the Department of Development encourages the development of affordable housing, the creation of new and retained jobs, leverage private investment, and the enforcement of the City Code; and

**WHEREAS,** the Department of Development desires to establish a fee schedule that supports the Department’s administrative and project cost associated with administering these programs; and

**WHEREAS,** the following Divisions within the Department of Developed have developed fee schedules associated with the program goals mentioned above: Economic Development, Housing, and Land Redevelopment; and

**WHEREAS,** the Department of Development/Economic Development Division desires to amend the Economic Development Fee Schedule to continue to support the Department’s administrative and project costs associated with administering programs of the Department of Development; **NOW, THEREFORE,**

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

**SECTION 1.** That Ordinance Number 3221-2018, passed March 11, 2019 by Columbus City Council, as amended by Ordinance Number 3169-2022, passed on December 5, 2022 by Columbus City Council, is hereby amended to change the Department of Development/Economic Development Division’s Fee Schedule.

**SECTION 2.** That the Fee Schedules attached to Ordinance Numbers 3221-2018 and 3169-2022 are hereby repealed.

**SECTION 3.** That the Director of the Department of Development is hereby authorized to amend the Department of Development/Economic Development Division’s Fee Schedule and to collect the fees provided for therein in order to support the Department’s administrative and project costs associated with administering the programs of the Department of Development.

**SECTION 4.** That for the purposes stated in Section 3, the fee schedule attached to this ordinance, which is incorporated herein by reference, is hereby deemed approved for the amounts set forth and for the activities identified therein.

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

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**Legislation Number:** 3450-2023

**Drafting Date:** 11/27/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This ordinance authorizes the Director of the Department of Finance and Management to enter into a subrecipient agreement not-for-profit service contract with Ohio Women’s Alliance, a 501(c)(3) not for profit corporation, in support of ensuring Access to Reproductive Healthcare. These funds will be used to provide practical support and medically accurate and legal reproductive health information to residents of the City of Columbus. “Access to Reproductive Healthcare,” as used in this ordinance, includes patient support expenses that arise in the pursuit of reproductive healthcare, such as transportation, lodging, childcare, and lost wages; information hotlines, peer support, and case management; community education and engagement regarding reproductive health; and operational needs of the grantees stemming from providing such supports to the public. “Access to Reproductive Healthcare” does not include the use of public funds to subsidize abortion procedures and associated services such as anesthesia, laboratory tests, or hospital services.

Through the American Rescue Plan, this legislation authorizes the Director of the Department of Finance and Management to enter into subrecipient agreement not-for-profit service contract with Ohio Women's Alliance in an amount up to \$134,000.00 to continue to provide needed reproductive health support services for residents of the City of Columbus. This legislation also authorizes the expenditure of up to \$134,000.00 for these services within the Department of Finance and Management's allocation in the Recovery Fund 2209. Importantly, all expenses must be eligible under the United States Treasury American Rescue Plan guidelines. Expenses must



be necessary expenditures incurred and related to disproportionately impacted populations due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).

These contracts shall be awarded pursuant to Columbus City Codes Section 329.30: Process for awarding not-for-profit service contracts estimated to exceed fifty thousand dollars (\$50,000.00). The services contemplated under these subrecipient contracts cannot be provided by existing City employees as the City lacks the necessary personnel.

Emergency action is requested to avoid any delay in providing services to vulnerable residents.

Fiscal Impact: Funding is available within the State Local Fiscal Recovery Fund to support this agreement.

To authorize the Director of the Department of Finance and Management to enter into a subrecipient agreement not-for-profit service contract with Ohio Women’s Alliance in support of ensuring Access to Reproductive Healthcare; to authorize an expenditure of \$134,000.00 within the Recovery fund; and to declare an emergency. (\$134,000.00)

**WHEREAS**, living a safe and healthy life is a basic human right that includes Access to Reproductive Healthcare; and

**WHEREAS**, when people have access to a full range of reproductive health care services-including birth control, abortion, and maternity care-they are healthier and their families thrive; and

**WHEREAS**, the Ohio Constitution preserves individual, inalienable rights to its people, among which are those of enjoying and defending life and liberty, and seeking and obtaining happiness and safety; and

**WHEREAS**, people cannot be free or equal without control over their own bodies, lives, and futures; and

**WHEREAS**, the Ohio Constitution likewise preserves the freedom to choose health care and to be free from state laws which shall impose a penalty or fine for the sale or purchase of health care; and

**WHEREAS**, the U.S. Supreme Court ruling in *Dobbs v. Jackson* overturned 49 years of precedent protecting people’s right to make decisions about their own necessary medical care; and

**WHEREAS**, the immediate implementation of Ohio Senate Bill 23 stripped Ohioans of their full range of essential health care options, of their bodily autonomy and control over their reproductive lives, and of their family autonomy to make decisions about how, whether, or when to be a parent; and

**WHEREAS**, abortion bans and restrictions fall hardest on Black, brown, low-income, and other marginalized people whose barriers to readily accessible healthcare have always been greatest, especially Black women and mothers who bear the highest rates of pregnancy complications, maternal mortality, and infant mortality; and

**WHEREAS**, there is a need for culturally-competent and trauma-informed care to assist women in navigating the medical system; and

**WHEREAS**, residents deserve to be able to make decisions about pregnancy and abortion free from fear or politicians who shame and try to control them; and

**WHEREAS**, an emergency exists in the need for Access to Reproductive Healthcare so as to necessitate the lending of support to these organizations in order to assure the immediate preservation of the public health and safety; **NOW THEREFORE**:

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

**SECTION 1.** That for purposes of this ordinance, “Access to Reproductive Healthcare” includes patient support expenses that arise in the pursuit of reproductive healthcare, such as transportation, lodging, childcare, and lost wages; information hotlines, peer support, and case management; community education and engagement regarding reproductive health; and operational needs of the grantees stemming from providing such supports to the public. “Access to Reproductive Healthcare” does not include the use of public funds to subsidize abortion procedures and associated services such as anesthesia, laboratory tests, or hospital services as proscribed by RC §§5101.55 and 5101.56.

**SECTION 2.** That the Director of the Department of Finance and Management is hereby authorized to enter into a subrecipient agreement not-for-profit service contract with Ohio Women’s Alliance for up to \$134,000.00 in support of ensuring Access to Reproductive Healthcare.

**SECTION 3.** That per the action authorized in Section 1 of this ordinance, the expenditure of \$134,000.00 within the Recovery fund, fund 2209, subfund 220902, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this subrecipient agreement is entered into pursuant to Columbus City Codes Section 329.30.

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

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

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**Legislation Number:** 3451-2023

**Drafting Date:** 11/27/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance authorizes the Board of Health to modify three existing contracts for language services at Columbus Public Health in an amount not to exceed \$135,000.00.

The contract with Access 2 Interpreters LLC, entered into on April 1, 2023 for the period ending March 31, 2024 will be modified by increasing the contract in an amount not to exceed \$91,000.00 for a new contract amount of \$249,400.00. This contract was previously increased with Ordinance 2836-2023.

The contract with Effectiff LLC, entered into on April 1, 2023 for the period ending March 31, 2024 will be modified by increasing the contract in an amount not to exceed \$28,000.00 for a new contract amount of \$95,000.00.

The contract with Sign Language USA LLC, entered into on May 1, 2023 for the period ending March 31, 2024 will be modified by increasing the contract in an amount not to exceed \$16,000.00 for a new contract amount of \$86,000.00.

Title VI of the Civil Rights Act of 1964 requires recipients of Federal financial assistance to take reasonable steps to make their programs, services, and activities accessible by eligible persons with Limited English Proficiency (LEP). As our LEP clients increase we must increase our resources to properly serve them.

Cost for interpretation and translations have increased as a direct result of requests. This is supported by immigration trends and the increase in the number of language service appointments. Unforeseen events such as the human trafficking crisis at Colonial Village and increased use of clinical services offered by CPH, especially by pediatric clients, have unexpectedly increased usage of interpretation services as well.

Staff are also better informed about the various ways they can provide equitable services to LEP clients and use the services more frequently. Education and training provided by Language Services uncovers new initiatives such as video dubbing, automated phone message translation, adding video interpretation to staff's mobile devices and the translation of important health forms. These needs have significantly increased our usage which has resulted in a shortage of funds.

It would not be in the city's best interests to have the additional contract requirements awarded through other procurement processes as specified in Columbus City Code 329 because these are ongoing services, a break of which would be detrimental to the wellbeing of our clients, and the underlying contracts were previously awarded via RFP.

The price for the additional services for this contract was determined based on the number of clients already served and the programs best estimation of clients that will need to be served through the end of the contract term.

The contract compliance number for Access 2 Interpreters, LLC, is CC010229 and the underlying contract was authorized by Ordinances 0897-2022 and 0731-2023.

The contract compliance number for Effectiff, LLC, is CC041262 and the underlying contract was authorized by Ordinances 0896-2022 and 0746-2023.

The contract compliance number for Sign Language USA, LLC, is CC024678 and the underlying contract was authorized by Ordinance 1081-2023.

This ordinance is submitted as an emergency to ensure that there is not a gap in these essential services. Recent, unforeseen events have led to an increased need for language services at CPH and additional funds are

required to pay for those services. Loss of funding could result in termination of these services for our clientele.

**FISCAL IMPACT** Expenditures to provide these services are budgeted in the 2023 Health Special Revenue Fund, Fund No. 2250. (\$135,000.00)

To authorize the Board of Health to modify three existing contracts for language services with Access 2 Interpreters, LLC; Effectiff LLC; and Sign Language USA LLC; to authorize the expenditures to cover these modifications from the 2023 Health Special Revenue Fund; and to declare an emergency. (\$135,000.00).

**WHEREAS**, the Board of Health has a need to modify an existing contract for language services with Access 2 Interpreters, LLC by increasing the contract amount by \$91,000.00 for a new contract amount of \$249,400.00; with Effectiff LLC by increasing the contract in an amount not to exceed \$28,000.00 for a new contract amount of \$95,000.00; and with Sign Language USA LLC by increasing the contract in an amount not to exceed \$16,000.00 for a new contract amount of \$86,000.00. Total amount needed to increase these contract shall not exceed \$135,000.00; and

**WHEREAS**, Access 2 Interpreters, LLC; Effectiff LLC; and Sign Language USA LLC have the expertise required to carry out those services; and

**WHEREAS**, an emergency exists in the usual, daily operations of the Department of Public Health in that it is immediately necessary to authorize the Board to modify these contracts to ensure that there is not a gap in these essential services. Recent, unforeseen events have led to an increased need for language services at CPH and additional funds are required to pay for those services and 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 Board of Health is hereby authorized to modify an existing contract for language services with Access 2 Interpreters, LLC by increasing the contract amount by \$91,000.00 for a new contract amount of \$249,400.00; with Effectiff LLC by increasing the contract in an amount not to exceed \$28,000.00 for a new contract amount of \$95,000.00; and with Sign Language USA LLC by increasing the contract in an amount not to exceed \$16,000.00 for a new contract amount of \$86,000.00. The total amount needed to increase all three contracts shall not exceed \$135,000.00.

**SECTION 2.** That the expenditure of \$135,000.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 2250, Department of Health, Division No. 5001, in object class 03 - Services, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That these contract modifications are in compliance with Chapter 329 of the Columbus City Code.

**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 necessary to ensure that these contract modifications are properly accounted for and recorded accurately on the city's financial records.

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

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**Legislation Number:** 3452-2023

**Drafting Date:** 11/27/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance authorizes the Director of the Department of Public Service to enter into contract with Nexstar Media Inc., in support of the Cleaner Columbus Initiative.

Cleaner Columbus is beginning its community-wide education and marketing campaign on the importance of litter eradication and neighborhood beautification. Cleaner Columbus, in partnership with Nexstar Media Inc., will develop the wider message platform and resources to reach inclusive demographics within Columbus including a special focus on K-12 and opportunity neighborhoods. The high impact marketing and public education messaging will be developed for each targeted audience, including Columbus residents, neighborhood leaders, professional associations, businesses, and employee groups. City Council’s goal is to incorporate its new Cleaner Columbus education, messaging, and mascot with Keep Columbus Beautiful’s "Pick it Up" and design challenge and service credit programs.

The marketing campaign will be comprised of three (3) key marketing elements: Cleaner Columbus PSAs, recruitment of individual volunteers and recruitment of volunteers through businesses and organizations. The Public Service Announcements will serve as a key educational tool targeting the general public on how to properly dispose of waste and the impacts of not doing so. As well, recruitment efforts will encourage residents to get involved and volunteer in neighborhood litter pick-ups. Finally, the third elements will encourage local business and their employee groups to participate in Cleaner Columbus through direct hands-on clean-ups in targeted area neighborhoods. The overall education campaign elements will include, but not necessarily be limited to, millions of PSA impressions throughout 2024, social media, mobile advertisements, direct-to-consumer appearances.

**Bid Waiver:** The Department of Public Service is requesting a bid waiver to enter into contract with Nexstar Media Inc., to create a media campaign in support of the Cleaner Columbus Initiative. A bid waiver for the formal bidding requirements of Chapter 329 of Columbus City Code is requested to enter into this contract so it can begin at the earliest possible time.

**Fiscal impact:** Funding is available within the Neighborhood Initiatives subfund.

**Emergency action** is requested in order to avoid any delay in delivery of services to mitigate litter in Columbus. To authorize the Director of the Department of Public Service to enter into a contract with Nexstar Media Inc., for marketing campaign services for the Cleaner Columbus Initiative; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; to waive the competitive bidding requirements of Columbus City Code; and to declare an emergency. (\$100,000.00)

**WHEREAS,** litter in Columbus has been a pervasive issue affecting some of our most vulnerable

neighborhoods; and

**WHEREAS**, a litter mitigation plan - the Cleaner Columbus initiative - will help create cleaner neighborhoods; and

**WHEREAS**, it is necessary to waive the formal bidding requirements of the Columbus City Codes and enter into an agreement with Nexstar Media Inc., in an amount of up to \$100,000.00 to provide professional services to advance the Cleaner Columbus Initiative so it can begin at the earliest possible time; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to enter into contract with Nexstar Media Inc., to avoid any delay in delivery of services to mitigate litter in Columbus, for the preservation of the public health and safety;  
**NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Public Service is hereby authorized to enter into a contract with Nexstar Media Inc., for marketing campaign services for the Cleaner Columbus Initiative.

**SECTION 2.** That the Auditor is hereby authorized and directed to appropriate \$100,000.00 within the Neighborhood Initiatives subfund; fund 1000, subfund 100018, in Services-03 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$100,000.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

**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 competitive bidding provisions of Columbus City Codes Chapter 329 are hereby waived.

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

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**Legislation Number:** 3457-2023

**Drafting Date:** 11/28/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**1. BACKGROUND**

This ordinance authorizes the Director of Public Service to add funds for fuel surcharges associated with the 2023 contract renewal with Rumpke of Ohio, Inc., in the amount of \$165,000.00, and to authorize the Director of Public Service to execute contract modifications if needed to clarify terms and conditions of the contract or to

implement program improvements and enhancements.

Continuation of a separate collection for yard waste and recyclable items is necessary to segregate them from the regular waste stream. This serves to extend the life of the landfill operated by the Solid Waste Authority of Central Ohio (SWACO).

The Collection Services of Yard Waste and Recyclables contract provides bi-weekly collection of yard waste and weekly collection of recyclables for residences, servicing of recycling containers deployed along Broad Street and High Street as part of the Pedestrian Recycling Program, glass pick-up from restaurants and bars along N. High Street as part of the Recycle On High program, and recyclable collection services for the solar compactors deployed in the Short North Area.

The Department of Public Service issued a bid in 2016 to establish a contract to replace the expiring Collection Services of Yard Waste and Recyclables contract. City Council approved awarding this contract to Rumpke via Ordinance 0479-2017, passed by Council on 3/13/17. The contract is a five-year contract expiring 3/31/22, with five one-year renewal options. This modification will add funds to pay for fuel surcharges negotiated as part of the most recent contract renewal.

**1.1 Amount of additional funds to be expended: \$165,000.00**

Original Contract Amount:	\$8,500,000.00 (Ordinance 0479-2017, PO052658)
Contract Year 2 (two) Amount:	\$8,730,000.00 (Ordinance 0607-2018, PO113383)
Contract Year 3 (three) Amount:	\$9,017,736.00 (Ordinance 0927-2019, PO168307)
Contract Year 4 (four) Amount:	\$9,226,776.00 (Ordinance 0441-2020, PO219470)
Contract Year 5 (five) Amount:	\$9,540,336.00 (Ordinance 0583-2021, PO265724)
Contract Year 6 (six) Amount:	\$10,379,496.00 (Ordinance 0813-2022, PO319900)
Contract Year 7 (this year) Amount:	\$16,314,036.00 (Ordinance 0775-2023, PO379141)
<u>Contract Year 7 (fuel surcharges) Amount:</u>	<u>\$165,000.00 (this ordinance)</u>
Total Contract Amount:	\$71,873,380.00

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

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

The amount of the fuel surcharges was negotiated after the contract renewal was signed. Therefore additional funds are required to pay aged accounts receivable portions of previous invoices, and to add funds for the remainder of the existing contract year.

**1.3 Reason other procurement processes are not used:**

The vendor has an existing multi-year contract executed on March 3, 2017. Therefore a bid is not needed at this time.

**1.4 How cost of modification was determined:**

The cost of this contract modification and extension is consistent with rates that were established by historical data from invoices the City has paid thus far for services rendered.

**2. CONTRACT COMPLIANCE**

Rumpke's contract compliance number is CC005677 and expires 3/18/2024. .

### **3. FISCAL IMPACT**

The Division of Refuse Collection's 2023 General Fund budget includes \$165,000.00 available for this purpose.

### **4. EMERGENCY DESIGNATION**

Emergency action is requested to allow timely execution of this contract, to prevent a lapse of a recycling and yard waste collection contract in order to continue this service to residents.

To authorize the Director of the Department of Public Service to modify the contract with Rumpke of Ohio, Inc., for yard waste and recycling collection services; to authorize the expenditure of \$165,000.00 from the General Fund for added fuel surcharges negotiated as part of the most recent contract renewal; and to declare an emergency. (\$165,000.00)

**WHEREAS**, the City of Columbus provides yard waste and recyclable collection through a contract established through the bid process; and

**WHEREAS**, a five-year contract with five one-year renewal options to perform these services was awarded to Rumpke of Ohio, Inc.; and

**WHEREAS**, year seven of the contract was authorized earlier this year with Ord. 0775-2023; and

**WHEREAS**, it is necessary to add funds to the contract to pay for fuel surcharges; and

**WHEREAS**, it is necessary to authorize the expenditure of \$165,000.00 from the Division of Refuse Collection from the General Fund; and

**WHEREAS**, it may be necessary to execute contract modifications to clarify terms and conditions of the contract, and to execute contract modifications to implement program improvements and enhancements; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Refuse Collection Division, in that it is immediately necessary to add funds to the contract with Rumpke of Ohio, Inc. to pay for fuel surcharges, to prevent a lapse in the contract and to allow the continuation of the service, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

**SECTION 1.** That the Director of Public Service be and hereby is authorized to add funds to the contract with Rumpke of Ohio, Inc., 10795 Hughes Road, Cincinnati, OH, 45251, to pay for fuel surcharges associated with the Collection Services of Yard Waste & Recyclables 2023 contract.

**SECTION 2.** That the expenditure of \$165,000.00, or so much thereof as may be needed, is hereby authorized in Fund 1000, the General Fund. in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

**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.

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**Legislation Number:** 3458-2023

**Drafting Date:** 11/28/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:** Working with the Division of Income Tax, the Real Estate Management Office engaged in a suite renovation project to better utilize the Division's office space within 77 N. Front Street to accommodate current and projected increases in staffing. The Universal Term Contract Purchase Agreement established with Workspace Ohio LLC, DBA Dupler Office authorized by Ordinance 1477-2023, was used for professional design services to analyze existing space layouts, prepare a new plan for space layout, and to select appropriate office furnishings to be purchased to meet the operational needs of the Division of Income Tax. In addition, new carpet will be installed throughout the suite using the Universal Term Contract Purchase Agreement with 2K General Company authorized by Ordinance 2891-2023.

This legislation authorizes the Director of the Department of Finance and Management to appropriate and expend \$222,020.74 for the purchase, delivery, and installation of office furniture and the replacement of carpet for the Division of Income Tax from Fund 7748, the General Permanent Improvement Fund; and to declare an emergency.

**Supplier:**

Workspace Ohio LLC, DBA Dupler Office  
5/31/2024

Vendor Number #040812

Exp.

PA006655 - Furniture Services

2K General Company

Vendor Number #005739

Exp. 6/14/2024

PA005177 - General maintenance, service, repair

**Fiscal Impact:** Funding for the purchase is available and shall be from the General Permanent Improvement Fund 7748 (\$222,020.74). An amendment to the 2023 Capital budget will be necessary.

**Emergency Justification:** Due to supply chain issues, long lead times are required from the date of order to the delivery of the furniture. Emergency action is requested to ensure that needed office furniture can be ordered at the earliest date possible so that the project can be completed within a reasonable time frame so that the Division of Income Tax operations can benefit from the efficiency of the redesigned office space as soon as possible.

To authorize the Director of the Department of Finance and Management, on behalf of the Real Estate Management Office, to associate all General Budget Reservations resulting from this ordinance with the Universal Term Contract Purchase Agreement with Workspace Ohio LLC, DBA Dupler Office for purchase of office furniture and the Universal Term Contract Purchase Agreement with TwoK General Co. d/b/a 2K General Co for carpet replacement; to authorize the appropriation of \$219,956.74 within the General Permanent Improvement Fund; to authorize the transfer and expenditure of \$222,020.74 in the General Permanent Improvement Fund; to amend the 2023 Capital Improvement Budget; and to declare an emergency (\$222,020.74).

**WHEREAS**, suite renovations and reconfiguration and replacement of furniture on the second floor, Suite C, of 77 North Front Street is required to accommodate Division of Income Tax growth and the hiring of additional staff; and

**WHEREAS**, the City of Columbus, Purchasing Office has established a Universal Term Contract for the purchase of furniture and related services with Workspace Ohio LLC, DBA Dupler Office and one for the general construction with TwoK General Co. d/b/a 2KGeneral Co; and

**WHEREAS**, a Universal Term Contract was used for professional design services to analyze existing space layouts, prepare a new office space plan, and to select appropriate office furnishings to be purchased to meet the operational needs of the Division of Income Tax; and

**WHEREAS**, a Universal Term Contract for general construction was used for carpet replacement; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Finance and Management to associate all General Budget Reservations resulting from this ordinance with the Universal Term Contract Purchase Agreements; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget; and

**WHEREAS**, it is necessary to appropriate, transfer and expend funds within the General Permanent Improvement Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to appropriate and expend funds to allow for the purchase of office furniture at the earliest possible date, necessary for the redesign of office space located on the second floor of 77 North Front Street occupied by the Division of Income Tax, in light of supply chain issues and long lead times required from the date of order to the delivery of furniture; **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 appropriate and expend funds, for the purchase of office workstations, task chairs, and other associated furnishings in accordance with the specifications of the Universal Term Contract Purchase Agreement established with Workspace Ohio LLC, DBA Dupler Office.

**SECTION 2.** That the 2023 Capital Improvement Budget be amended in Fund 7748 as follows:

<b>Project Number</b>	<b>Project Name</b>	<b>Revised Auth.</b>	<b>Remaining Auth.</b>	<b>Change</b>
P748999-100000	Unallocated GPIF Carryover	\$725,702	\$505,745	(\$219,957)
P570115-100000	Furniture Replacement - Various	\$790,461	\$792,525	\$2,064 (to match cash)
P570115-100000	Furniture Replacement - Various	\$792,525	\$1,012,482	\$219,957

**SECTION 3.** That the appropriation of \$219,957.74 or so much thereof as may be needed, is hereby authorized within the General Permanent Improvement, Fund 7748, per the account codes in the funding attachment to this ordinance.

**SECTION 4.** That the transfer of \$2,064.00 of cash and appropriation is hereby authorized within the General Permanent Improvement Fund 7748 per the account codes in the funding attachment to this ordinance.

**SECTION 5.** That the transfer of cash in the amount of \$219,954.74 between projects in Fund 7748 is hereby authorized and approved per the accounting codes in the funding attachment to this ordinance.

**SECTION 6.** That the expenditure of \$222,020.74 or so much thereof as may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved per the accounting codes in the funding attachment to this ordinance.

**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 authorized to make any accounting changes necessary to revise the funding source for all contract or contract modifications associated with this ordinance to ensure that this purchase is properly accounted for and recorded accurately on the City’s financial records.

**SECTION 9.** That the City Auditor is hereby authorized to transfer the unencumbered balance remaining for this project account to the unallocated balance account within the same fund upon receipt of proper notification from the Department of Finance and Management that the project has been completed and the monies are no longer required for this project.

**SECTION 10.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3459-2023  
**Drafting Date:** 11/28/2023  
**Current Status:** Passed

**1. BACKGROUND**

This ordinance authorizes the Director of Public Service to modify a professional services contract with Asplundh Tree Expert LLC for year two of a possible five-year contract term, so funds can be added to pay for the second year of services.

The City advertised a competitive bid (RFQ020315) in accordance with Section 329.06 through Vendor Services. The City received two bids that were opened on November 18, 2021, as follows:

<u>Company Name</u>	<u>RFP Score</u>	<u>City/State</u>
Asplundh Tree Expert LLC Majority	78	Millersport, OH
Russell Tree Experts Majority	70	Westerville, OH

The contract was awarded to Asplundh Tree Experts LLC, as the highest scoring bidder.

The initial term of this contract was for three years with the option of two one-year renewals. Public Service would like to modify the contract to continue this service for year two of the contract and to add funds in the amount of up to \$150,000.00 to pay for these additional services.

The original contract amount:	\$49,999.00	(PO304054)
The total of Modification No. 1:	\$150,000.00	(This Ordinance)
The contract amount including all renewals:	\$199,999.00	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Asplundh Tree Expert LLC.

The following Contract Modification requires approval by City Council in order for the Division to expend more than \$100,000.00 in a fiscal year per City Code 329.19(g):

**2. CONTRACT COMPLIANCE**

The contract compliance number for is CC001744 and expires 10/24/2024.

**3. FISCAL IMPACT**

This contract modification and expenditure is planned and appropriated in the Division of Refuse Collection's 2023 General Fund budget.

**4. EMERGENCY DESIGNATION**

The department requests emergency designation for this ordinance to prevent interruption of services.

To authorize the Director of Public Service to modify the tree trimming services contract with Asplundh Tree Expert LLC and to add funds; to authorize the expenditure of up to \$150,000.00 from the General Fund; and to declare an emergency. (\$150,000.00)

**WHEREAS**, the Department of Public Service, Division of Refuse Collection has a need for tree trimming

services; and

**WHEREAS**, the Director of Public Service executed the tree trimming service contract with Asplundh Tree Expert LLC for the Department of Public Service; and

**WHEREAS**, the contract is a three-year contract with two one-year renewals; and

**WHEREAS**, the Department of Public Service desires to modify the contract for year two of the contract term and to add funds to pay for the second year of services; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to modify the contract with Asplundh Tree Expert LLC for year two to prevent interruption of services, 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 Public Service be and is hereby authorized to modify the tree trimming services contract with Asplundh Tree Expert LLC for year two of the contract term, and to add up to \$150,000.00 to pay for the second year of services.

**SECTION 2.** That the expenditure of \$150,000.00 or as much thereof as may be needed, is hereby authorized in Fund 1000 (General Fund), Dept-Div 5902 (Refuse Collection), in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 4.** 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 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3460-2023

**Drafting Date:** 11/28/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Finance and Management Director to modify past, present,

and future contracts and purchase orders with Paul Peterson Company. Paul Peterson Company has undergone a reorganization and divided their services and products (goods) into two separate companies. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus from Paul Peterson Company tax ID# 31-0868875 to Peterson Highway Safety Inc. tax ID# 83-2962527.

No additional funds are necessary to modify the option contract as requested. There is no change in the type of products being procured and the original contract was formally bid. The original terms and conditions remain in effect.

**EMERGENCY DESIGNATION:** The Finance and Management Department respectfully requests this legislation be considered an emergency in order to maintain an uninterrupted supply of Traffic Control Devices.

**FISCAL IMPACT:** No additional funding is required to modify the option contract. The Department of Public Service must set aside their own funding for their estimated expenditures.

To authorize the Finance and Management Director to modify past, present and future contracts and purchase orders from Paul Peterson Company to Peterson Highway Safety Inc. and to declare an emergency.

**WHEREAS**, the Finance and Management Department, Purchasing Office has an option contract and open purchase orders for Traffic Control Devices for use by the Department of Public Service; and,

**WHEREAS**, Paul Peterson Company has divided the company into services (Paul Peterson Company) and products (Peterson Highway Safety Inc.) and in addition to notifying the City, Peterson Highway Safety Inc. has agreed to honor the past, present and future contracts and agreements; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management to ensure the current contract, Traffic Control Devices UTC, RFQ0015994, is available to the department for use it is immediately necessary to modify all contracts and purchase orders established and in process with Paul Peterson Company, 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 modify all past, present and future contracts and purchase orders pursuant to those contracts to reflect the change from Paul Peterson Company tax ID# 31-0868875 to Peterson Highway Safety Inc. tax ID# 83-2962527.

**SECTION 2.** That this modification is in accordance with relevant provisions of Section 329 of the Columbus City Code.

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

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**Legislation Number:** 3463-2023

**Drafting Date:** 11/28/2023

**Current Status:** Passed

Version: 1

Matter Ordinance  
Type:

This ordinance authorizes the City Clerk to enter into a grant agreement with the not-for-profit Choice Network, Inc. d/b/a/ JustChoice, Inc., in support of their JustChoice Fund.

Choice Network, Inc. ("Choice") is a not-for-profit organization whose purpose is to provide adoption services and support. Funding will support the operations of the organization by providing needed funds for staffing, space, marketing, and supplies. Choice does not provide any direct support for terminating a pregnancy; rather, it refers clients to other agencies who can provide that care.

No public funds shall be used to subsidize abortion procedures and associated services such as anesthesia, laboratory tests, or hospital services as proscribed by RC §§5101.55 and 5101.56.

The JustChoice Fund covers mutual aid to cover prohibitive expenses that cannot be paid by other forms of financial support. Examples include: 1) old rental debt that would have forced a family to forfeit their Section 8 housing opportunity, 2) a mattress that enabled a grandmother to move in and help care for the children, and 3) an Uber ride to drop kids at their grandparents' house while their mother checked into a mental health facility.

Emergency action is necessary to provide immediate assistance to individuals who are victims of human trafficking.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with Choice Network, Inc. d/b/a/ JustChoice, Inc., in support of their JustChoice Fund; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$20,000.00)

**WHEREAS**, Choice Network, Inc. ("Choice") is a not-for-profit organization whose purpose is to provide adoption services and support to women; and

**WHEREAS**, Choice does not provide any direct support to terminate a pregnancy; rather, they refer clients to other agencies who can provide that care; and

**WHEREAS**, JustChoice Fund covers mutual aid to cover prohibitive expenses that cannot be paid by other forms of financial support; and

**WHEREAS**, an emergency exists in the usual daily operation of the Clerk's Office in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with JustChoice Fund to provide immediate assistance to individuals of human trafficking thereby preserving the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Clerk is authorized to enter into a grant agreement with the not-for-profit Just Choice, dba Choice Network, in support of their JustChoice Fund.

**SECTION 2.** That the appropriation and expenditure of \$20,000.00, or so much thereof as may be needed pursuant to the action authorized in SECTION 1, is authorized in the Neighborhood Initiatives subfund, fund

1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the funds necessary to carry out the purpose of this ordinance are 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 no public funds shall be used to subsidize abortion procedures and associated services such as anesthesia, laboratory tests, or hospital services as proscribed by RC §§5101.55 and 5101.56.

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

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**Legislation Number:** 3469-2023

**Drafting Date:** 11/28/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

In March 2023, City Council announced our Housing Initiatives, a 12-piece policy legislative package that seeks to invest in our city through the sustainable development of new affordable housing units, preserve our current housing stock, and ensure the housing market is inclusive of all people, regardless of socio-economic status. These initiatives represent a team effort at City Council to address the problems within our community. In order to truly effectuate change, proper enforcement measures must be in place to ensure that residents who experience discrimination or mistreatment have an avenue for recourse.

This ordinance authorizes the Director of the Department of Building and Zoning Services to enter into a non-profit service contract with the Legal Aid Society of Columbus for referral services for fair housing enforcement. The services that Legal Aid will provide cannot be performed by current city staff as there are currently no employment classifications that conform to the duties associated with this work.

**Fiscal Impact:** Funding is available in the Neighborhood Initiatives subfund.

**Emergency Designation:** An emergency exists that it is immediately necessary to authorize the Director of Building and Zoning Services to enter into this contract in order to provide a mechanism for fair housing enforcement, thereby preserving the public health, peace, property, safety and welfare.

To authorize the Director of the Department of Building and Zoning Services to enter into a non-profit service contract with the Legal Aid Society of Columbus for referral services for fair housing enforcement; to authorize the appropriation and expenditure of \$10,000.00 in the Neighborhood Initiatives subfund; and to declare an emergency. (\$10,000.00)

**WHEREAS,** in March 2023, City Council announced its Housing Initiatives, a 12-piece policy legislative package that seeks to invest in our city through the sustainable development of new affordable housing units, preserve our current housing stock, and ensure the housing market is inclusive of all people, regardless of socio-economic status; and

**WHEREAS,** these initiatives represent a team effort at City Council to address the problems within our community; and

**WHEREAS,** proper enforcement measures must be in place to ensure that residents who experience



discrimination or mistreatment have an avenue for recourse; and

**WHEREAS**, the Legal Aid Society of Columbus (LASC) gives free legal help to people with low incomes and limited savings; and

**WHEREAS**, LASC is a trusted community partner when it comes to helping our most vulnerable residents find solutions to community problems; and

**WHEREAS**, an emergency exists that it is immediately necessary to authorize the Director of the Department of Building and Zoning Services to enter into this contract in order to provide a mechanism for fair housing enforcement, for the immediate preservation of the public health, peace, property, and safety; **NOW**,

**THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Building and Zoning Services is hereby authorized to enter into a non-profit service contract with the Legal Aid Society of Columbus for fair housing enforcement.

**SECTION 2.** That the Auditor is hereby authorized and directed to appropriate \$10,000.00 within the Neighborhood Initiatives subfund; fund 1000, subfund 100018, in Services-03 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$10,000.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this service contract is entered into under the non-profit service contracting provisions of Section 329.29 of Columbus City Codes.

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

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**Legislation Number:** 3475-2023

**Drafting Date:** 11/29/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:**

To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project (Tree & Shrub Plantings at Hoover & O'Shaughnessy Reservoirs). This contract will be used to maintain the shoreline at the Hoover and

O'Shaughnessy Reservoirs by planting trees, shrubs and for herbicide treatment of invasive species.

The Department of Public Utilities solicited competitive bids for the Reservoir Restoration Project in accordance with the relevant provisions of Chapter 329 (RFQ025146). Fifty-six (56) vendors (1 EBE/MBE, 1 EBE/WBE, 46 MAJ, 6 MBE, 1 MBE/WBE, 1 WBE) were solicited and three (1 EBE/MBE and 2 MAJ) bids were received on July 12, 2023.

The lowest bidder, Ironsite, Inc. f/k/a Facemeyer Company failed to include the installation costs in the pricing of the trees and shrubs which was a requirement of the specifications, therefore, they have been deemed non-responsive.

The next lowest bidder, Davey Resource Group provided pricing for only 30 days after the bid opening, the bid specification required 180 days, they have been deemed non-responsive.

Therefore, the Division of Water recommended that the award be made to Williams Forestry & Associates, LLC as the most responsive, responsible and best bidder.

The term of this contract is for one (1) year from the date of execution by the City. The contract language allows for two (2) one (1) year renewal options on a year to year basis upon mutual agreement, availability of funds, and approval by Columbus City Council. This contract shall not automatically renew. The original legislation encumbered \$300,000.00 for this contract. The Division of Water now seeks to modify this contract to add \$600,000.00 in funding to allow for additional work to be completed within the scope of the original contract.

**SUPPLIER:** Williams Forestry & Associates, LLC, vendor #044891 expires 3/28/25, majority status

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.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification is \$600,000.00. Total contract amount including this renewal is \$900,000.00.
2. Reason additional funds were not foreseen: The potential need for additional funds was known and provided for at the time of the initial contract.
3. Reason other procurement processes were not used: Work under this modification is a continuation of services included in the scope of the original contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How was cost determined: Through the competitive bidding process.

**EMERGENCY DESIGNATION:** The Department of Public Utilities respectfully requests this legislation be considered as an emergency in order to begin planting to prevent further erosion of the shoreline.

**FISCAL IMPACT:** \$600,000.00 is budgeted and needed for this purchase.

\$0.00 was spent in 2022

\$0.00 was spent in 2021

To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; to authorize the expenditure of \$600,000.00 from the Water Operating Fund; and to declare an emergency. (\$600,000.00)

**WHEREAS**, the Department of Public Utilities solicited bids for Reservoir Restoration Project (RFQ025146); and

**WHEREAS**, the contract will be used to maintain the shoreline at the Hoover and O'Shaughnessy Reservoirs by planting trees, shrubs and for herbicide treatment of invasive species; and

**WHEREAS**, three (3) bids were received and opened by the Director of Public Utilities on July 12, 2023; and

**WHEREAS**, the lowest bidder, Ironsite, Inc. f/k/a Facemeyer Company failed to include the labor cost in the items quoted which deemed them non-responsive;

**WHEREAS**, the next lowest bidder, the Davey Resource Group, provided pricing for only 30 days after the bid opening, the bid specification required 180 days, they have also been deemed non-responsive;

**WHEREAS**, the Department of Public Utilities recommended the award be made for all items as the most responsive, responsible and best bidder, Williams Forestry & Associates, LLC; and

**WHEREAS**, this contract will be in effect from the date of execution and upon mutual agreement of the parties, availability of funds, and approval by the Columbus City Council, this contract can be renewed for two (2) additional one (1) year terms; and

**WHEREAS**, the original legislation encumbered \$300,000.00 for this contract. The Division of Water now seeks to modify this contract to add \$600,000.00 in funding to allow for additional work to be completed within the scope of the original contract; 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 to modify an Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project to prevent further erosion of the shorelines, 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 Public Utilities be and is hereby authorized to modify the Indefinite Quantity Agreement Contract for the Reservoir Restoration Project with Williams Forestry & Associates, LLC per the terms and conditions of RFQ025146 on file in the Department of Public Utilities.

**SECTION 2.** That said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

**SECTION 3.** That this agreement will be in effect for one year from the date of execution and, upon mutual agreement, funds availability, and approval by the Columbus City Council this contract can be renewed for two (2) additional one (1) year terms.

**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 expenditure of \$600,000.00 is authorized in Fund 6000 (Water-Operating) in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, 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.

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**Legislation Number:** 3477-2023

**Drafting Date:** 11/29/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

To authorize the Director of the Department of Finance and Management to modify the existing subaward with Capital Crossroads Special Improvement District to reallocate budgeted funds; to authorize the Director of the Department of Finance and Management to extend the contract period of performance with Capital Crossroads Special Improvement District; and to declare an emergency.

**WHEREAS,** Ordinance 0968-2021 allowed the City to enter into a Subaward Agreement with the Capital Crossroads Special Improvement District for the Installation and Construction as well as administration of the Downtown Permanent Public Restrooms Project; and

**WHEREAS,** Ordinance 1637-2022 allowed for the first modification of the Subaward Agreement with the Capital Crossroads Special Improvement District, in order to increase the total project budget and extend the period of performance; and

**WHEREAS,** Ordinance 1443-2023 allowed for the second modification of the Subaward Agreement with the Capital Crossroads Special Improvement District, in order to increase the total project budget and extend the period of performance; and

**WHEREAS,** a third subaward modification is necessary to amend the project's budget to lessen the funding allocated for Administration and increase the funding allowed for Installation and Construction by the amount of \$10,000; and

**WHEREAS,** this third subaward modification will allow for the funding necessary for the purchase and installation of flower planters near the newly installed downtown permanent public restrooms in order to protect the structures from vehicular damages; and

**WHEREAS,** a third subaward modification is necessary to amend the project's period of performance through April 1, 2024 so that all project elements, including the setting of the barrier flower planters, may be completed under the existing subaward; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize this subaward modification in order to meet federal expenditure

deadlines, such immediate action being necessary for the preservation of 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 Finance and Management is authorized to modify the Subaward Agreement with Capital Crossroads Special Improvements District to adjust the project budget and extend the period of performance.

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

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**Legislation Number:** 3489-2023

**Drafting Date:** 11/29/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Director of the Department of Finance and Management to modify and extend two (2) existing Universal Term Contracts (UTCs) for the option to obtain Health Clinical Supplies with Henry Schein Inc. CC#000504, expires 3/8/2024 and Bound Tree Medical LLC CC#005886, expires 6/12/2025. These contracts provide for medical equipment and accessories, patient care, and treatment products used by the Columbus Public Health Department in various clinics. This modification is necessary to ensure supplies are available for the care of patients.

These contracts, PO219622 (Henry Schein, Inc.) and PO214487 Bound Tree Medical, LLC) were established in accordance with Request for Quotation RFQ013896 and authorized under Ordinance Number 3282-2019 and will expire December 31, 2023. In accordance with the bid specifications, the City and Henry Schein Inc. and Bound Tree Medical LLC can extend the contract for two (2) additional one (1) year terms subject to mutual agreement and approval of proper City Authorities. The parties renewed the contracts per the authority under Ordinance 3282-2019, for an additional one-year term. Because Ordinance 3282-2019 authorized only a one-year term renewal, it is necessary to modify the contract per Columbus City Codes Section 329.09(b) to extend the contracts. The new contract expiration dates will be December 31, 2024.

**EMERGENCY DESIGNATION:** The Finance and Management Department respectfully requests this legislation be considered an emergency measure to insure there is no interruption of goods/services provided.

**FISCAL IMPACT:** No funding is required to modify and extend the option contracts. The Columbus Public Health Department must set aside their own funding for their estimated expenditures.

To authorize the Director of the Department of Finance and Management to modify and extend two (2) Universal Term Contracts for the option to purchase Health Clinical Supplies with Henry Schein, Inc. and Bound Tree Medical, LLC; and to declare an emergency.

**WHEREAS,** the Purchasing Office entered into two (2) Universal Term Contracts for Health Clinical Supplies for use by the Columbus Public Health Department; and,

**WHEREAS,** these contracts were entered into in accordance with Chapter 329 of the Columbus City Code, pursuant to solicitation RFQ013896 with Henry Schein, Inc. and Bound Tree Medical, LLC deemed as the

lowest, most responsive, responsible, and best bidders; and

**WHEREAS**, in accordance with the bid specifications, the City and Henry Schein, Inc. and Bound Tree Medical, LLC can extend the contracts for an additional one year period, subject to mutual agreement and approval of proper City authorities; and

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Public Health Department, as the current contracts expires on December 31, 2023, in that it is necessary to authorize the Director of the Department of Finance and Management to immediately modify and extend two (2) Universal Term Contracts with Henry Schein Inc. and Bound Tree Medical LLC for the option to obtain Health Clinical Supplies needed to provide services to patients at various health clinics, thereby preserving the public health 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 modify and extend the option contracts with Henry Schein, Inc. and Bound Tree Medical, LLC, for a period of one (1) year, from December 31, 2023 to and including December 31, 2024.

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

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**Legislation Number:** 3492-2023

**Drafting Date:** 11/29/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:**

This legislation authorizes the Director of Public Utilities to modify the existing water and sewer contracts entered into with Franklin County on August 4, 2020. Ordinance 0330-2020 authorized the City to contract with Franklin County for the purpose of allowing the County to make water and sewer service available to certain parcels in Perry Township, Franklin County, Ohio in furtherance of the City and Perry Township Annexation Agreement. The Annexation Agreement was entered into between the City and Perry Township on August 19, 2020 pursuant to Ordinance 0332-2020. The annexation agreement between Perry Township and the City was later modified on November 24, 2021 to adjust the boundaries of properties subject to the annexation agreement and eligible for water and sanitary sewer service without annexation to the City of Columbus. It is currently necessary to amend the existing contracts for water and sewer services between Franklin County and the City to adjust the boundaries of the Service Areas under those agreements to align with the adjusted boundaries of the Annexation Agreement, as modified.

**FISCAL IMPACT:** There is no fiscal impact from the modification of the water and sewer contracts.

To authorize the Director of Public Utilities to modify the existing water service contract and sewer service contract with Franklin County, Ohio, for the provision of water and sewer service to certain properties within Perry Township in order to adjust the boundaries of the service areas under those agreements to align with the adjusted boundaries of the existing annexation agreement between the City and Perry Township. (\$0.00)

**WHEREAS,** the City and Perry Township, Franklin County, Ohio are parties to an existing Annexation Agreement that provides for access to water and sewer service to certain properties in Perry Township without annexation; and

**WHEREAS,** the City and Franklin County have existing contracts for water and sewer service that include certain Perry Township properties in furtherance of the Annexation Agreement; and

**WHEREAS,** the boundaries of the services areas under the water and sewer service contracts need to be modified to align with the Annexation Agreement; 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 modify the exiting water service contract and a sewer service contract with Franklin County, Ohio; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to modify the existing water service contract and a sewer service contracts to adjust the service area boundaries in those contracts to align with the boundaries in the existing Annexation Agreement between the City of Columbus and Perry Township, Ohio.

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

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**Legislation Number:** 3497-2023

**Drafting Date:** 11/30/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into a grant agreement with the non-profit Reeb Avenue Center in support of its operational needs at the Reeb Avenue facility.

The Reeb Avenue Center strives to connect neighbors with services they need to transform their lives by providing access to wraparound, long-term case management services for neighbors that focuses on intentional and holistic connections to tools, resources, and services necessary for economic and social stabilization.

The Reeb Avenue Center is facing immediate operational needs that it needs to address in order to sustain services for residents. Specifically, this funding will support the Center's security equipment and software upgrades and repairs and maintenance that are its responsibility under its lease agreement.

Funding is crucial for enhancing safety through security equipment and software upgrades. These upgrades to the security system are imperative for reducing security incidents at the facility, which welcomes hundreds of clients daily, including children at the Sprout Five daycare and Boys and Girls Club.

Funding is also necessary for repair of flooring, counters, cabinetry, interior doors, etc. and routine maintenance and inspections of HVAC, fire, and life safety systems that are necessary to keep the facility operating safely. Measured by a reduction in safety incidents and improved client feedback, these improvements are essential for the continued success in serving the community.

Fiscal Impact: Funding is available within the Neighborhood Initiatives subfund.

Emergency action is requested in order to allow Reeb Avenue Center to make the necessary repairs and security system upgrades without delay.

To authorize the City Clerk to enter into a grant agreement with the Reeb Avenue Center in support of operational needs at the Reeb Avenue facility; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$50,000.00)

**WHEREAS**, the Reeb Center strives to connect neighbors with services they need to transform their lives; and

**WHEREAS**, the Reeb Center is facing immediate operational needs in order to sustain services for residents; and

**WHEREAS**, this funding will support the agency's security equipment and software upgrades, and facility and maintenance repairs; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement in order to allow Reeb Center to make the necessary repairs and upgrades to the Center's security equipment, this immediate funding is crucial for enhancing safety at the location which welcomes hundreds of clients daily, including children at the Sprout Five daycare and Boys and Girls Club, 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 City Clerk is hereby authorized to enter into a grant agreement with the Reeb Avenue Center in support of operational needs at the Reeb Avenue facility.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$50,000.00 in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$50,000.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance is hereby authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018 per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3512-2023

**Drafting Date:** 11/30/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance authorizes the City Clerk to enter into a grant agreement with the Columbus Kappa Foundation in support of the 14th Annual Turkey Giveaway.

The fundamental purpose of the Columbus Kappa Foundation is achievement, with a mission of service to the community. For the past 13 years, the Columbus Kappa Foundation has distributed thousands of turkeys and full meals, especially targeting residents in the 43293 and 43205 zip codes, areas with reduced access to healthy, affordable food. In the past 4 years, the Columbus Kappa Foundation has given out 3,150 turkeys and meals feeding an estimated 20,000 Columbus residents. In 2023, the goal will be to distribute 1,000 turkeys and meals to the community.

Columbus City Council deems this expenditure and the distribution of food and meals to be a public purpose in that it helps to feed residents in underserved neighborhoods and who disproportionately experience food insecurity.

Fiscal Impact: Funding is available within the Neighborhood Initiatives subfund.

Emergency action is requested in order to provide the organization with the resources necessary to acquire and distribute during the holiday season.

To authorize the City Clerk to enter into a grant agreement with the Columbus Kappa Foundation in support of the 14th Annual Turkey Giveaway; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$7,500.00)

**WHEREAS**, the fundamental purpose of the Columbus Kappa Foundation is achievement, with a mission of service to the community; and

**WHEREAS**, for the past 13 years, the Columbus Kappa Foundation has distributed thousands of turkeys and full meals, especially targeting residents in areas with reduced access to healthy, affordable food; and

**WHEREAS**, in 2023, the goal will be to distribute 1,000 turkeys and meals to the community; and

**WHEREAS**, an emergency exists in the usual daily operation of the Clerk's Office in that it is immediately necessary to authorize the Clerk to enter into a grant agreement with the Columbus Kappa Foundation in order to avoid any delay in providing the resources necessary to execute an effective Turkey Giveaway and to

distribute during the holiday season, 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 City Clerk is hereby authorized to enter into a grant agreement with the Columbus Kappa Foundation in support of the 14th Annual Turkey Giveaway.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$7,500.00 in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$7,500.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance is hereby authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018 per the accounting codes in the attachment to this ordinance.

**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 Columbus City Council deems this expenditure and the distribution of food and meals to be a public purpose in that it helps to feed residents in underserved neighborhoods and who disproportionately experience food insecurity.

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

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

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**Legislation Number:** 3525-2023

**Drafting Date:** 12/1/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This ordinance amends the current authorized strength, as set forth in ordinance 2657-2023.

The strength levels for most general fund agencies are set to be equal to the 2023 budget as amended by City Council (including the Departments of Health and Recreation and Parks). Authorized strength levels of smaller non-general fund agencies are set to be equal to the adopted 2023 budget as amended, while the strength levels of certain larger non-general fund agencies may have their strength set slightly higher to allow for flexibility in hiring.

Within the City Auditor’s Office an increase of two full-time positions are requested to provide flexibility in

replacing retiring employees. Three full-time positions are requested for the Mayor's Office. The Office of Violence Prevention requests an increase of four full-time positions to allow for the transfer of staff from the Department of Public Safety. The Department of Development requests an increase of three full-time grant funded positions in the Housing Division. The Department of Public Safety requests an increase of six full-time grant funded civilian positions in the Division of Fire.

**Fiscal Impact:** Funds for these strength levels are budgeted and/or the positions will not be filled until revenues have been clearly identified and appropriated. In all cases, the ability to hire will be monitored by the Division of Finance and Management. As such, there is no fiscal impact associated with passage of this ordinance.

**Emergency Justification:** Emergency action is requested to allow for the filling of budgeted vacant positions in certain departments in order to assure the immediate preservation of the public health, safety, and welfare.

To establish a new authorized strength ordinance for various divisions in the City of Columbus; to repeal ordinance 2657-2023; and to declare an emergency.

**WHEREAS,** the Mayor's Executive 2023 budget was submitted to City Council on November 10, 2022 for consideration; and

**WHEREAS,** City Council adopted said budget on February 13, 2023; and,

**WHEREAS,** this ordinance repeals authorized strength ordinance 2657-2023; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to establish a new authorized strength ordinance to provide for the efficient operation of the city, 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 pursuant to Section 14 of the City Charter, the maximum number of officers and employees authorized to be employed within the various Departments, Boards and Offices of the City is hereby fixed and established as follows:

- 1- Refer to attachment ORD3525-2023currentstrength.xlsx
- 2- Refer to attachment ORD3525-2023previousstrength.xlsx

The foregoing positions authorized include all positions within each department, division, board, office or commission, whether appointed or elected except the members of any board or commission authorized by charter or ordinance. No Appointing Authority shall appoint full-time or part-time personnel in excess of the maximum permitted by this ordinance unless authorized by ordinance of City Council.

**SECTION 2.** Such of the positions within the Division of Fire as the Director of Public Safety and Fire Chief shall designate, shall be within the uniformed ranks and all other positions therein shall be deemed civilian positions, provided there shall not be in excess of five (5) Fire Assistant Chiefs and there shall not be in excess of four (4) Fire Deputy Chiefs; as a normal complement, in excess of thirty-six (36) Fire Battalion Chiefs nor as a temporary complement, in excess of thirty-seven (37) Fire Battalion Chiefs at any one time; sixty-three (63)

Fire Captains nor as a temporary complement, in excess of sixty-four (64) Fire Captains at any one time; one (1) Fire Chief; and two-hundred nine (209) Fire Lieutenants. The complements of fire captains and fire lieutenants are intended to be temporary, subject to review and change at any time.

Such of the positions within the Division of Police as the Director of Public Safety and the Police Chief shall designate, shall be within the uniformed ranks and all other positions therein shall be deemed civilian positions, provided there shall not be, as a normal complement, in excess of eighteen (18) Police Commanders, nor as a temporary complement, in excess of nineteen (19) Police Commanders at any one time; one (1) Police Chief; four (4) Police Assistant Chiefs; in excess of, as a normal complement, six (6) Police Deputy Chiefs, nor as a temporary complement, in excess of seven (7) Police Deputy Chiefs at any one time; in excess of, as a normal complement, sixty-three (63) Police Lieutenants, nor as a temporary complement, in excess of sixty-five (65) Police Lieutenants at any one time; in excess of, as a normal complement, two hundred thirty-eight (238) Police Sergeants, nor as a temporary complement, in excess of two hundred forty-two (242) Police Sergeants at any one time.

**SECTION 3.** Temporary appointments are not subject to the authorized strength ordinance. Additionally, limited appointments made to cover full-time and part-time employees on authorized leave (injury, disability or military leave) are not subject to the authorized strength ordinance. Student intern positions are not subject to the authorized strength ordinance.

**SECTION 4.** That Ordinance No. 2657-2023 and all other ordinances relative to the authorization of employees for any department, division, board or commission and all other ordinances in conflict herewith be and the same are hereby repealed.

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

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**Legislation Number:** 3527-2023

**Drafting Date:** 12/1/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

To authorize the Director of the Office of Diversity and Inclusion to enter into a not-for-profit service contract with the YWCA Columbus to conduct a community stakeholder engagement process and develop a race equity plan for the City of Columbus; to authorize the appropriation and expenditure of up to \$150,000.00 in the Neighborhood Initiatives subfund; and to declare an emergency. (\$150,000.00)

**WHEREAS,** Columbus prides itself on being a diverse city that welcomes all people; and

**WHEREAS,** in August 2020, Council created an internal equity team; and

**WHEREAS,** that internal task force developed project proposals to be implemented and continually works to provide recommendations and next steps for how Council can work to advance anti-racism and racial equity in Columbus; and

**WHEREAS,** by establishing a community-driven engagement process, we can hear from our residents, discuss data and invite experts to assess the history of systemic racism, segregation, and other race-based harms in the City of Columbus; and explore the present-day manifestations of that history;

**WHEREAS,** YWCA Columbus is a trusted community partner; and

**WHEREAS**, YWCA Columbus’ mission is to eliminate racism, empower women, and promote peace, justice, freedom, and dignity for all; and

**WHEREAS**, an emergency exists in that it is immediately necessary to authorize the Director of the Office of Diversity and Inclusion to enter into this contract to avoid any delay in beginning community stakeholder engagement to create a more equitable Columbus, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Office of Diversity and Inclusion is hereby authorized to enter into a not-for-profit service contract with the YWCA Columbus to conduct a community stakeholder engagement process and develop a race equity plan for the City of Columbus.

**SECTION 2.** That the Auditor is hereby authorized and directed to appropriate \$150,000.00 within the Neighborhood Initiatives subfund; fund 1000, subfund 100018, in Services-03 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$150,000.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the competitive bidding provisions of Columbus City Codes Chapter 329 are hereby waived.

**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 an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3529-2023

**Drafting Date:** 12/1/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into a grant agreement with the We Elevate You Foundation in support of their networking events and programs.

We Elevate You is on a mission to help create generational wealth for BIPOC entrepreneurs by providing access to essential business resources, like equitable funding, human resources, industry know-how, facilities and equipment, and professional support.

The Elevate mixers are vibrant events with opportunities for networking and learning through sessions and live dialogues. These are oriented to provide both inspiration and guidance to rising BIPOC entrepreneurs, ages

18-30.

Support from Columbus City Council will support personnel, supplies, and services costs associated with the fall mixer event. No funding from this grant agreement will contribute towards food and beverage costs.

Emergency legislation is required to provide timely support to We Elevate You, as the foundation has already hosted their first mixer event this fall.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with the We Elevate You Foundation in support of their spring mixer event; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$5,000.00)

**WHEREAS,** We Elevate You Foundation is on a mission to create generational wealth for BIPOC entrepreneurs through mentorship and professional support; and

**WHEREAS,** We Elevate You Foundation catalyzes the creation of new, thriving businesses through their services and event; and

**WHEREAS,** Columbus City Council seeks to promote local entrepreneurship and pathways to good-paying jobs; and

**WHEREAS,** an emergency exists in the usual daily operation of the City Clerk's Office in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with the We Elevate You Foundation to ensure that support for their fall networking event is received in a timely manner, given that the networking event has already occurred; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Clerk is hereby authorized to enter into a grant agreement with the We Elevate You Foundation in support of their networking events and programs. No funding from this grant agreement will contribute towards food and beverage costs.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$5,000.00 in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, to the City Clerk per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$5,000.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance, is hereby authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018 per the accounting codes in the attachment to this ordinance.

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

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

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**Legislation Number:** 3530-2023

**Drafting Date:** 12/1/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance authorizes the City Clerk to enter into a grant agreement with Pyramid Community Development Corporation (CDC) to support The Op! (Opportunity) Marketplace event and programming.

Pyramid CDC’s mission is to empower individuals and communities to embrace computer technology and entrepreneurship readiness programming to overcome economic barriers. The Op! (Opportunity) Marketplace is in the Columbus Warehouse District and allows small, minority business owners to showcase retail products. The two-month marketplace is paired with business support programming including social media marketing training, connecting with wholesale companies, improving sales techniques, and opportunities to host events and generate additional revenue.

Support from Columbus City Council will help fund personnel and operations costs for the marketplace and accompanying programming. No grant funding will be used for the purchase of food or beverages.

Emergency action is necessary to ensure the organization receives financial support in a timely manner, given that the marketplace began on November 11th, and runs through the end of 2023.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with the Pyramid Community Development Corporation in support of a small business marketplace; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$10,000.00)

**WHEREAS**, Pyramid Community Development Corporation’s mission is to empower individuals and communities to embrace entrepreneurship readiness programming to overcome economic barriers; and

**WHEREAS**, Pyramid Community Development Corporation is hosting a small, minority business marketplace for locally-owned entrepreneurs to grow and interface with new customers; and

**WHEREAS**, Columbus City Council seeks to promote local entrepreneurship and pathways to good-paying jobs; and

**WHEREAS**, an emergency exists in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with the Pyramid Community Development Corporation to provide timely support for a small business marketplace; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Clerk is hereby authorized to enter into a grant agreement with the Pyramid Community Development Corporation in support of a small business marketplace.

**SECTION 2.** That the City Auditor is hereby authorized and directed to appropriate \$10,000.00 in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, to the City Clerk per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$10,000.00 or so much thereof as may be needed pursuant to the action authorized in SECTION 1 of this ordinance, is hereby authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018 per the accounting codes in the attachment to this ordinance.

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

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

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**Legislation Number:** 3532-2023

**Drafting Date:** 12/4/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**Background:** This legislation authorizes the Director of the Department of Development to enter into a grant agreement with Rickenbacker/Woods Technology Museum & Historic Park, Inc. DBA Rickenbacker Woods Foundation in an amount up to \$200,000.00 in support of the Creators, Originators & Innovators of Tomorrow Workforce Initiative.

The Rickenbacker Woods Foundation’s Creators, Originators & Innovators of Tomorrow Workforce Initiative empowers youth of Columbus with essential skills and knowledge in the fields of engineering, art, technology, design, media and architecture.

The initiative is entering its second year and aims to provide high school students in the City of Columbus with opportunities to engage in meaningful workforce development activities. The program will operate from January 2024 through June 2024, three days a week. Allowing interns to gain hands-on experience and valuable exposure in their areas of interest.

The program plays a critical role in reducing youth gun violence and other forms of violence by providing constructive, skill-building activities that keep youth engaged and focused on positive goals; especially during the critical hours when they are most susceptible to negative influences. By offering mentorship, a supportive community and exposure to various fields of interest, the program instills a sense of purpose and belonging, reducing the likelihood of involvement in violent activities.

The grant agreement will include an advancement of funds on a pre-determined schedule and provide payment for reasonable food and non-alcoholic beverages supporting the program. A portion of this funding will also support intern stipends.

Approval is also requested for reimbursement of expenses incurred prior to execution of the purchase order, starting November 1, 2023.

Emergency action is requested to immediately provide resources necessary to sustain human services programming within valuable Columbus communities.



**Fiscal Impact:** The funding of \$200,000.00 for this contract will be transferred from the General Fund Citywide Account to the Department of Development General Fund Budget.

**Contract Compliance:** The contract compliance number is 026340 and expires 3/3/24.

To authorize the Director of the Department of Development to enter into a grant agreement with Rickenbacker/Woods Technology Museum & Historic Park, Inc. DBA Rickenbacker Woods Foundation in an amount up to \$200,000.00 in support of the Creators, Originators & Innovators of Tomorrow Workforce Initiative; to authorize the transfer of \$200,000.00 between the Citywide Account and the Department of Development; to authorize payment for reasonable food and non-alcoholic beverages for participants of programs included in the grant agreement; to authorize the advancement of funds on a pre-determined schedule during the term of the agreement; to authorize the reimbursement of non-food and non-beverage expenditures incurred prior to the establishment of a purchase order; to authorize the expenditure of \$200,000.00 from the General Fund; and to declare an emergency. (\$200,000.00)

**WHEREAS,** The Rickenbacker Woods Foundation’s Creators, Originators & Innovators of Tomorrow Workforce Initiative empowers youth of Columbus with essential skills and knowledge in the fields of engineering, art, technology, design, media and architecture; and

**WHEREAS,** the initiative is entering its second year and aims to provide high school students in the City of Columbus with opportunities to engage in meaningful workforce development activities; and

**WHEREAS,** the program will operate from January 2024 through June 2024, three days a week. Allowing interns to gain hands-on experience and valuable exposure in their areas of interest; and

**WHEREAS,** the Director of Development desires to enter into a grant agreement with Rickenbacker/Woods Technology Museum & Historic Park, Inc. DBA Rickenbacker Woods Foundation to support their workforce development efforts; and

**WHEREAS,** the grant agreement will include advance payments to the organization and provide food and non-alcoholic beverages to participants; and

**WHEREAS,** a portion of this funding will also support intern stipends; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the Director of the Department of Development to enter into a grant agreement with the Rickenbacker Woods Technology Museum & Historic Park DBA Rickenbacker Woods Foundation to provide resources necessary to sustain human services programming within valuable Columbus communities, for the immediate preservation of the public peace, health, property, and safety; **NOW**

**THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to enter into a grant agreement with the Rickenbacker/Woods Technology Museum & Historic Park, Inc. DBA Rickenbacker Woods Foundation in an amount not to exceed \$200,000.00 in support of the Creators, Originators & Innovators

of Tomorrow Workforce Initiative.

**SECTION 2.** That the grant agreement authorized in Section 1 of this Ordinance is hereby authorized to account for payment of non-food and non-beverage expenditures incurred prior to the purchase order, beginning November 1, 2023; and that the agreement is authorized to advance funds per a schedule to be included in the agreement.

**SECTION 3.** That the transfer of \$200,000.00 or so much thereof as may be needed, is hereby authorized within Fund 1000 (General Fund) from Dept-Div 45-01 (Financial Management), Object Class 10 (Transfer Out Operating) to Dept-Div 44-01 (Administration), Object Class 05 (Other) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That for the purposes stated in Sections 1 and 2, the expenditure of \$200,000.00 or so much thereof as may be needed, is hereby authorized in Fund 1000 (General Fund), Dept. 44-01 (Administration), in Object Class 05 (Other) per the accounting codes in the attached to this ordinance.

**SECTION 5.** That this agreement is awarded pursuant to the relevant provisions of Columbus City Code related to awarding grant agreements.

**SECTION 6.** That Columbus City Council deems this expenditure and the distribution of food and non-alcoholic beverages to be a proper public purpose, in that it helps to feed residents in underserved neighborhoods and who disproportionately experience food insecurity. Food and beverage related expenditures will only be allowable from the execution date of the contract and shall not exceed \$20.00 per served individual.

**SECTION 7.** That the funds are hereby deemed appropriated and transfers authorized 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 authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 9.** That for the reasons stated in the Preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 3534-2023

**Drafting Date:** 12/4/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

This ordinance authorizes the City Clerk to enter into a grant agreement with 1DivineLine2Health, a non-profit entity, in support of the organization’s Hilltop Drop-In Center. A portion of the funding will be used for reasonable food and non-alcoholic beverages expenses to support participants of the event. It is estimated that less than \$4,000.00 will be used for food and non-alcoholic beverage costs.

1DivineLine2Health is a community driven organization. In addition to their morning and afternoon outreach work across the West side, they are initiating evening outreach events and programming. 1DivineLine2Health serves our residents experiencing homelessness, victims of human trafficking, and at-risk youth. In 2021, 1DivineLine2Health opened the first full-time Drop-In Center in Franklin County tailored to human trafficking victims, their children, and transgender individuals.

Emergency action is necessary to provide immediate assistance to individuals who are victims of human trafficking.

City Code Section 329.35 permits the purchase of food and non-alcoholic beverages for a valid public purpose and permits the use of funds for community programs and events sponsored by the City. The expenditure of public funds will be an integral part of the Hilltop Drop-In Center.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with 1DivineLine2Health in support of their Hilltop Drop-In Center; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$30,000.00)

**WHEREAS,** 1DivineLine2Health is a community driven organization providing outreach services supporting the Hilltop and west side communities; and

**WHEREAS,** 1DivineLine2Health serves our residents experiencing homelessness, victims of human trafficking, and at-risk youth; and

**WHEREAS,** In 2021, 1DivineLine2Health opened the first full-time Drop-In Center in Franklin County tailored to human trafficking victims, their children, and transgender individuals; and

**WHEREAS,** an emergency exists in the usual daily operation of the Clerk's Office in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with 1DivineLine2Health to provide immediate assistance to individuals of human trafficking thereby preserving the public health, peace, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Clerk is authorized to enter into a grant agreement with the not-for-profit 1DivineLine2Health in support of their Hilltop Drop-In Center.

**SECTION 2:** That Columbus City Council hereby determines that the purchase and distribution of reasonable food and non-alcoholic beverages, as related to the action authorized in Section 1 of this ordinance, is for a valid public purpose and is authorized. No more than \$4,000.00 will be used for food and non-alcoholic beverage costs.

**SECTION 3.** That the appropriation and expenditure of \$30,000.00, or so much thereof as may be needed pursuant to the action authorized in SECTION 1, is authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3537-2023

**Drafting Date:** 12/4/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into contract with AVI Systems Inc. for City Hall conference room renovations.

Columbus City Hall Room 225 is currently outfitted with technology equipment that is beyond its useful life, including media devices that have already failed or are beyond maintenance and repair. As part of this renovation project, AVI Systems Inc. will remove all current technology components and replace all existing cameras, display monitors, install microphones and corresponding rack components, and implement a new presentation system. Upon completion of these upgrades, it is expected that this conference room will be utilized for press conferences and other media events, commission and committee meetings, and for additional meeting space for city staff.

A bid waiver is requested for this contract. Given the need to quickly execute these renovations, a formal RFP process was not utilized. City staff informally solicited bids from multiple vendors and ultimately received two bids. Upon review, it is recommended that AVI Systems Inc. be selected as the vendor of choice.

Emergency action is requested in order for the work to be completed rapidly in anticipation of significantly greater demand in 2024.

Fiscal Impact: Funding is available within the 2023 Capital Improvements Budget. An amendment to the 2023 Capital Improvements budget and a transfer of funding between projects will be necessary.

To authorize the City Clerk to enter into contract with AVI Systems Inc. for City Hall conference room renovations; to amend the 2023 Capital Improvement Budget; to authorize the appropriation, transfer, and expenditure of \$165,907.13 within the General Permanent Improvement Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$165,907.13)

**WHEREAS,** Columbus City Hall Room 225 is currently outfitted with technology equipment that is beyond its useful life; and

**WHEREAS,** AVI Systems Inc. will remove all current technology components and replace all existing cameras, display monitors, install microphones and corresponding rack components, and implement a new

presentation system; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget; and

**WHEREAS**, it is necessary to authorize the appropriation, transfer, and expenditure of funds within the General Permanent Improvement Fund; and

**WHEREAS**, an emergency exists in the usual daily business of the city in that it is immediately necessary to authorize a contract with AVI Systems, Inc. in order for the work to be completed by the end of 2023; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Clerk is hereby authorized to enter into contract with AVI Systems Inc. for City Hall conference room renovations.

**SECTION 2.** That the 2023 Capital Improvement Budget be amended in Fund 7748 as follows:

<b>Project Number</b>	<b>Project Name</b>	<b>Revised Auth.</b>	<b>Remaining Auth.</b>	<b>Change</b>
P748999-100000	Unallocated GPIF Carryover	\$505,745	\$339,837	(\$165,908)
P200034-100000	City Council - Room 225 Reno	\$0	\$165,908	\$165,908

**SECTION 3.** That the appropriation of \$165,907.13 or so much thereof as may be needed, is hereby authorized within the General Permanent Improvement Fund 7748 per the account codes in the funding attachment to this ordinance.

**SECTION 4.** That the transfer of cash in the amount of \$165,907.13 between projects in fund 7748 is hereby authorized and approved per the accounting codes in the funding attachment to this ordinance.

**SECTION 5.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$165,907.13, or so much thereof as needed, is hereby authorized per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the competitive bidding provisions of the Columbus City Codes are hereby waived.

**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 authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 9.** That the City Auditor is hereby authorized to transfer the unencumbered balance remaining for this project account to the unallocated balance account within the same fund upon receipt of proper notification from the Director of the Department administering said project that the project has been completed and the monies are no longer required for this project.

**SECTION 10.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this

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

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**Legislation Number:** 3540-2023

**Drafting Date:** 12/5/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This ordinance authorizes the Director of the Office of Diversity and Inclusion to enter into contract with Abbas Consulting for professional and consulting services to assist the City of Columbus in becoming a Certified Welcoming City.

The Welcoming Standard is a comprehensive roadmap for communities to become more welcoming places. The Welcoming Standard sets criteria, or benchmarks, that local governments, community organizations, residents, and others can use to hold welcoming places accountable and spur innovation.

Strong communities intentionally connect and include people of all backgrounds. As places look to harness the wealth and vibrancy that comes from diverse talents and a global workforce, truly welcoming places can set themselves apart. There are seven framework areas of the Welcoming Standard that define truly welcoming places: Civic Engagement, Connected Communities, Economic Development, Education, Equitable Access, Government and Community Leadership, and Safe Communities.

As of 2023, 18 cities and counties across the U.S. have been Certified Welcoming Communities. Abbas Consulting will help to coordinate and prepare for the Welcoming America President's visit to Columbus and meet with the Office of Diversity and Inclusion, and other City of Columbus departments when necessary, will take place in the form of bi-weekly meetings.

Emergency action is necessary to immediately begin the Welcoming City certification process.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the Director of the Office of Diversity and Inclusion to enter into contract with Abbas Consulting for professional and consulting services to assist the City of Columbus in becoming a Certified Welcoming City; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$25,000.00)

**WHEREAS,** the Welcoming Standard is a comprehensive roadmap for communities to become more welcoming places; and

**WHEREAS,** there are seven framework areas of the Welcoming Standard that define truly welcoming places: Civic Engagement, Connected Communities, Economic Development, Education, Equitable Access, Government and Community Leadership, and Safe Communities; and

**WHEREAS,** as of 2023, 18 cities and counties across the U.S. have been Certified Welcoming Communities; and

**WHEREAS**, an emergency exists in the usual daily operation of the Office of Diversity and Inclusion in that it is immediately necessary to authorize the Director of the Office of Diversity and Inclusion to enter into this contract to avoid any delay in beginning the Welcoming City certification process; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Office of Diversity and Inclusion is hereby authorized to enter into contract with Abbas Consulting for professional and consulting services to facilitate the Welcoming City certification for the City of Columbus.

**SECTION 2.** That the Auditor is hereby authorized and directed to appropriate \$25,000.00 within the Neighborhood Initiatives subfund; fund 1000, subfund 100018, in Services-03 per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That per the action authorized by Section 1 of this ordinance, the expenditure of \$25,000.00 is hereby authorized per the accounting codes in the attachment to this ordinance.

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

**SECTION 5.** That the contract authorized by Section 1 of this ordinance is entered into pursuant to the relevant provisions of Chapter 329 of the Columbus City Codes.

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

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

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**Legislation Number:** 3546-2023

**Drafting Date:** 12/6/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

To repeal Sections 2329.15 and 2329.16 of the Columbus City Codes to bring the City into compliance with state law after the passage of Issue 2; and to declare an emergency.

**WHEREAS**, Issue 2 was placed on the November ballot to commercialize, regulate, legalize, and tax the adult use of cannabis in the State of Ohio; and

**WHEREAS**, nearly 57% of voters voted in favor of Issue 2; and

**WHEREAS**, the passage of Issue 2 placed sections 2329.15 and 2329.16 of the Columbus City Codes out of compliance with state law; and

**WHEREAS**, while Issue 2 went into effect on December 7, 2023, a number of bills in the General Assembly purporting to further amend the Revised Code pertaining to marijuana possession and sales have been introduced and are currently being debated thereby rendering the future of marijuana possession under state law

unclear; and

**WHEREAS**, an emergency exists in that it is immediately necessary to repeal sections 2329.15 and 2329.16 of the Columbus City Codes to ensure lack of conflict with state law; **NOW, THEREFORE,**

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

**SECTION 1.** That Sections 2329.15 and 2329.16 of the Columbus City Codes are hereby repealed.

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

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**Legislation Number:** 3549-2023

**Drafting Date:** 12/6/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

**BACKGROUND:** This legislation authorizes the Director of Development to enter into a Subrecipient Agreement Not-for-Profit Service Contract with Community Shelter Board (CSB) in an amount up to \$1,200,000.00 of which \$600,000.00 will be utilizing federal American Rescue Plan Act (ARPA) dollars and the remaining \$600,000.00 will be from the Neighborhood Initiatives Subfund of the General Fund to support winter warming services that will help keep unhoused individuals safe during dangerous weather. Services and plans will include but not be limited to the following three components:

#### **Daytime Warming Centers**

Unhoused residents will be able to utilize libraries, recreation centers, and a handful of churches to stay warm during the day this winter. Homeless outreach teams will focus their engagement high traffic locations, working to enroll unhoused residents in street outreach if they are interested and help develop a housing plan with them.

#### **Overnight Shelter**

Each year, Community Shelter Board develops a plan to handle winter overflow within its crisis response system. Due to a tight housing market and reduced outflow from the shelters, it is worthwhile to provide residents additional choices during the winter months.

#### **Extreme Cold Events**

During level 3 snow emergencies, shelters keep individuals inside and remain open all day. Additionally, homeless outreach teams conduct specific, concentrated engagement in an attempt to get individuals inside ahead of extreme weather events. CRPD Community Recreation Centers will open five regional Community Recreation Centers and will extend operating hours, 9:00 a.m. - 9:00 p.m. to accommodate those who need a warm place in extreme cold (below 0 degrees).

Expenses to support the three components include but are not limited to staff salaries and benefits, facility rentals and security, food for individuals at the facilities, COTA passes, and administrative costs.

Ordinance 1201-2021 authorized the City of Columbus to accept and appropriate approximately \$187,030,138.00 of federal American Rescue Plan Act (ARPA) funds as signed into law by the President of the United States on March 11, 2021.



Emergency action is requested to allow Community Shelter Board to provide warming services to unhoused individuals as the temperatures are dropping in the winter months.

**FISCAL IMPACT:** Funding of \$600,000.00 is available within the Neighborhood Initiatives Subfund and funding of \$600,000.00 is available within the American Rescue Plan Act.

**CONTRACT COMPLIANCE:** The vendor number is 004795 and expires on 01/09/25.

To authorize the Director of the Department of Development to enter into a Subrecipient Agreement Not-for-Profit Service Contract with Community Shelter Board (CSB) in an amount not to exceed \$1,200,000.00 for the purpose of supporting winter warming services; to authorize an appropriation and expenditure of \$600,000.00 within the Neighborhood Initiatives Subfund; to authorize the expenditure of \$600,000.00 from the American Rescue Plan Act (ARPA) funds; to authorize the reimbursement of non-food and non-beverage expenditures incurred prior the approval of the purchase order; and to declare an emergency. (\$1,200,000.00)

**WHEREAS,** there is a need in the community to provide winter warming services to unhoused individuals to protect them from dangerous winter weather; and

**WHEREAS,** Community Shelter Board will coordinate the effort with other nonprofit partners such as Community Development for All People and the Coalition for the Homeless; and

**WHEREAS,** there will be at minimum three components to the program: Daytime Warming Centers, Overnight Shelter, and Extreme Cold Events; and

**WHEREAS,** expenses to support the three components include but are not limited to staff salaries and benefits, facility rentals and security, food for clients at the facilities, COTA passes, and administrative costs; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the Director of the Department of Development to enter into a not for profit service contract with Community Shelter Board to allow for the execution of the contract by the Director immediately to implement programming prior to winter, for the immediate preservation of the public peace, health, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Development is hereby authorized to enter into a Subrecipient Agreement Not-for-Profit Service Contract with Community Shelter Board (CSB) in an amount up to \$1,200,000.00 to support warming center programs for the unhoused population during the winter months, including food provided to clients, and to approve non-food and non-beverage purchases incurred prior to the establishment of the purchase order.

**SECTION 2.** That the expenditure of \$600,000.00, or so much there of as may be needed for the purpose stated in Section 1, is hereby authorized within fund 2209 (ARPA), Dept-Div 44-01 object class 03 (Services), per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That for the purpose as stated in Section 1, the appropriation and expenditure of \$600,000.00, or so much thereof as may be necessary, is hereby authorized within fund 1000 (General Fund), subfund 100018 (Neighborhood Initiatives Subfund), Dept-Div 44-01 (Administration), in Object Class 03 (Services) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That Columbus City Council deems this expenditure and the distribution of food and non-alcoholic beverages to be a proper public purpose, in that it helps to feed residents in underserved neighborhoods and who disproportionately experience food insecurity. Food and beverage related expenditures will only be allowable from the execution date of the contract and shall not exceed \$20.00 per served individual.

**SECTION 5.** This Not-for-Profit Service Contract is entered into under the authority of Columbus City Code Chapter 329.29 as City staff do not have the resources to perform the services provided.

**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 authorized to make any accounting changes to revise the funding source for all contract modifications associated with this ordinance.

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

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**Legislation Number:** 3551-2023

**Drafting Date:** 12/6/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

To authorize and direct the Director of the Department of Neighborhoods to accept a grant from and enter into a grant agreement with Franklin County Department of Job and Family Services in the amount of \$185,000.00 to help coordinate efforts for the My Brother's Keeper (MBK) program; to authorize the appropriation and expenditure of \$185,000.00 within the General Governments Grant Fund; to authorize grantees the authority to use funding for food and non-alcoholic beverages as it is integral to the success programming to ensure students have access to nutritional meals, and to declare an emergency. (\$185,000.00).

**WHEREAS,** Franklin County Department of Job and Family Services has awarded the City of Columbus, Department of Neighborhoods, a grant in the amount of \$185,000 to help coordinate efforts for the My Brother's Keeper Village (MBK) program.

**WHEREAS,** Franklin County Department of Job and Family Services will support the MBK Village Job Fair

and programmatic evaluation services with financial resources not to exceed \$15,000.00; and

**WHEREAS**, Franklin County Department of Job and Family Services will offer resource support for the MBK Conference not to exceed \$20,000.00 (i.e. share with partners, extend partner support of event(s); and

**WHEREAS**, Franklin County Department of Job and Family Services will provide matching funds for the MBK Round 3 grant recipients not to exceed \$150,000.00 (\$50,000 per grantee) to the Always with Us Charities, Heart of Job Foundation, ICE Mentors; and

**WHEREAS**, grant agreements will allow for the purchase of food and/or beverages in order to provide nutrition to students and families who are often food-insecure, increase public participation in MBK outreach events; and

**WHEREAS**, it is necessary to authorize and direct the Director of The Department of Neighborhoods to enter into an agreement with Franklin Department of County Job and Family Services to accept this award; and

**WHEREAS**, it is necessary to appropriate \$185,000.00 within the General Governments Grant Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of The Department of Neighborhoods in that it is immediately necessary authorize the Director to accept and enter into an agreement with Franklin County Department of Job and Family Services, and for the City Auditor to appropriate said grant funds, making them available to comply with the terms of the grant and so that funds are available for the My Brother's Keeper initiative , 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 Neighborhoods will be and is hereby authorized to accept a grant in the amount of \$185,000.00 and enter into an agreement with Franklin County Department of Job and Family Services.

**SECTION 2.** That the expenditure of \$150,000.00 or so much thereof as may be needed is authorized in Fund 2220, Dept-Div 48-01, in Object Class 05 - Grants to Non-Profit Agencies per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That from the unappropriated monies in the General Governments 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 grant period ending December 31, 2024 the sum of \$185,000.00 and any eligible interest earned during the grant period is hereby appropriated within fund 2220, Department of Neighborhoods Grant Fund per the account codes in the attachment to this ordinance.

**SECTION 4:** That the Director of Neighborhoods is hereby authorized to enter into an agreement with the following organizations to allow to provide matching funds for the MBK Round 3 grant recipients. The grant agreements will allow for a maximum of \$15 per person for the purchase of food and/or beverages in order to provide nutrition to students and families who are often food-insecure and to increase public participation in MBK outreach events.

**Always with Us Charities \$50,000**

**Heart of JOB Foundation \$50,000**

**ICE Mentors \$50,0000**

**SECTION 5.** That the monies in the foregoing Section 2. shall be paid upon order of the Director of Department of Neighborhoods, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City.

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

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**Legislation Number:** 3552-2023

**Drafting Date:** 12/6/2023

**Current Status:** Passed

**Version:** 1

**Matter** Ordinance

**Type:**

This ordinance authorizes the City Clerk to enter into a grant agreement with Alvis, Inc, a non-profit corporation, in support of the organization’s Family and Children's Program. A portion of the funding will be used for reasonable food and non-alcoholic beverages expenses to support participants of the event. It is estimated that less than \$6,000.00 will be used for food and non-alcoholic beverage costs.

Alvis, Inc. has been turning lives around since 1967. Alvis offers comprehensive human services to meet the needs of some of our most vulnerable members of our community. Founded in 2014, the Family and Children's Program serves families impacted by incarceration and addiction.

The Family and Children’s Program has three pillars:

1. Strengthening Families -

- Provides 10 and 11 week comprehensive parenting education classes. Topics include bonding, self esteem, positive communication, rules, routines, and positive discipline, as well as special emphasis on reunifying with children, and drug and alcohol prevention
- Individual case management services to help client create a reunification plan with children and prepare them for their return to parenthood and the community
- The Under Five Program - provides developmental assessments and kindergarten readiness programming to address the needs of children under five years old
- The Under Five Critical Needs Pantry - provides diapers, wipes, hygiene items, and childproofing supplies
- Saturday Family Reunification Activities - provides opportunities for families separated by incarceration to share a meal and participate in reunification activities to strengthen the parent/child connection.

2. Clinical Services -

- Provides clinical assessment of children to identify mental health needs
- Provides individual, group and family counseling to address mental and behavioral health concerns

3. Prevention Programming -

- Provides enriching, prevention focused programming to school age children to break the family cycle of substance abuse, help children build positive social and emotional skills, and increase their school success
- Provides afterschool care, as well as full time care during school breaks and the summer so clients can focus on their treatment and recovery while children are cared for in a safe and nurturing environment

City Code Section 329.35 permits the purchase of food and non-alcoholic beverages for a valid public purpose

and permits the use of funds for community programs and events sponsored by the City. The expenditure of public funds will be an integral part of the Family and Children's Program.

Emergency action is necessary to provide immediate assistance to serve families of incarcerated individuals.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with Alvis, Inc. in support of their Family and Children's Program; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$50,000.00)

**WHEREAS,** Alvis, Inc. has been turning lives around since 1967 and offers comprehensive human services to meet the needs of some of our most vulnerable members of our community; and

**WHEREAS,** Founded in 2014, the Family and Children's Program serves families impacted by incarceration and addiction; and

**WHEREAS,** The Family and Children's Program collaborates with many community partners outside of the Alvis Agency including COSI who provides the program with Science boxes and educational programming; the Columbus Recreation and Parks department for free meals program, and by providing prevention programming within certain Columbus City Schools; and

**WHEREAS,** an emergency exists in the usual daily operation of the Clerk's Office in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with Alvis, Inc. to provide immediate assistance to incarcerated individuals, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Clerk is authorized to enter into a grant agreement with the not-for-profit corporation Alvis Inc. in support of their Family and Children's Program.

**SECTION 2:** That Columbus City Council hereby determines that the purchase and distribution of reasonable food and non-alcoholic beverages, as related to the action authorized in Section 1 of this ordinance, is for a valid public purpose and is authorized. No more than \$6,000.00 shall be expended on food and non-alcoholic beverage costs.

**SECTION 3.** That the appropriation and expenditure of \$50,000.00, or so much thereof as may be needed pursuant to the action authorized in SECTION 1, is authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3557-2023

**Drafting Date:** 12/7/2023

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance

**Type:**

To authorize and direct the City Auditor to establish auditor's certificates in the amount of \$700,000.00 for various expenditures for supplies, materials, Central Ohio Transportation Authority CNG payments, fuel, and equipment within the Department of Finance and Management, Fleet Management Division; to authorize the transfer of \$700,000.00 within the Fleet Management Fund; to authorize the expenditure of \$700,000.00 from the Fleet Management Fund; and to declare an emergency (\$700,000.00)

**WHEREAS,** it is necessary that the City Auditor establish auditor's certificates in the amount of \$700,000.00 for various expenditures in conjunction with Fleet Management operations within the Department of Finance and Management; and

**WHEREAS,** it is necessary to transfer \$700,000.00 from object class 03 of the Department of Finance, Fleet Management Divisions 2023 budget to object class 02 to ensure funding availability for end-of-year expenses; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Finance, Fleet Management Division in that it is immediately necessary to perform this transfer so that funds are available for projected expenses for the remainder of the 2023 fiscal year, to continue the 24/7 operations of the Fleet Management Division for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the City Auditor is authorized and directed to establish auditor's certificates in the amount of \$700,000.00 for various expenditures for supplies, materials, Central Ohio Transportation Authority CNG payments, fuel and equipment within the Department of Finance and Management, Fleet Management Division.

**SECTION 2.** That the transfer of \$700,000.00, or so much thereof as may be needed, is hereby authorized within Fund 5200 Fleet Management Operating Fund between Object Class 03-Contractual Services and Object Class 02 - Materials & Supplies, per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$700,000.00, or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Fleet Management Fund 5200 in object class 02 Materials & Supplies, per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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 this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of the Department of Finance and Management. All contracts will be entered into in compliance with the relevant procurement provisions of Chapter 329 of the Columbus City Codes.

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

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**Legislation Number:** 3560-2023

**Drafting Date:** 12/7/2023

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Background:** This ordinance authorizes the appropriation of \$400,000.00 from the anticipated 2024 HOME Investment Partnerships Program (HOME) grant from the U.S. Department of Housing and Urban Development (HUD) to fund some of the Department of Development’s Housing Division’s 2024 personnel costs.

These funds are for a portion of the 2024 Housing Division budget for personnel expenses (other funding is provided by the general fund and other federal grants) and are a portion of the HOME Administration monies anticipated to be received in the 2024 grant. Additional ordinances may be forthcoming later in 2024 to appropriate the balance of the HOME Administration grant funds and/or 2023 program income available for personnel expenses for the remainder of the year, once the 2024 grant amount is known.

This legislation represents partial appropriation for the HOME portion of the 2024 Draft Action Plan, per Ordinance 2993-2023, adopted by City Council on November 20, 2023.

Emergency action is requested in order to ensure personnel funds are in place for FY 2024 at the start of FY 2024 to avoid any delay in the payment of relevant salaries.

**Fiscal Impact:** Funds in the amount of \$400,000.00 for this appropriation are supported by the anticipated 2024

HOME entitlement award from the U.S. Department of Housing and Urban Development (HUD) and are allocated from the HOME Administrative monies set aside within the 2024 HOME Grant (G442302). Funding would be made available to the department when the Auditor's Office opens in January 2024.

To authorize the appropriation and expenditure of \$400,000.00 from the 2024 HOME Administration monies within the HOME Investment Partnerships Program from the U.S. Department of Housing and Urban Development (HUD) to the Department of Development to provide funding for personnel expenses in the Department of Development's Housing Division for FY 2024; and to declare an emergency. (\$400,000.00)

**WHEREAS**, the City of Columbus expects to continue as a participating jurisdiction of the U.S. Department of Housing and Urban Development for 2024; and

**WHEREAS**, the City of Columbus is the recipient of HOME Investment Partnerships funds from the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the Columbus City Council has approved the 2024 Draft Action Plan, per Ordinance 2993-2023, as required by HUD; and

**WHEREAS**, it is necessary to appropriate funds to fund Department of Development's Housing Division personnel costs from the anticipated 2024 HOME Administration monies within the HOME Investment Partnerships Program for FY 2024; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to appropriate the aforementioned funds in order to ensure personnel funds are in place for FY 2024 at the start of FY 2024 to avoid any delay in the payment of relevant salaries; **NOW, THEREFORE**,

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

**SECTION 1.** That from the unappropriated monies in Fund 2201 (HOME Investment Partnerships Program) 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 ended December 31, 2024, the sum of \$400,000.00 is appropriated in Fund 2201 (HOME Investment Partnerships Program), Dept-Div 44-10 (Housing), Project G442302, Object Class 01 (Personnel) per the account codes in the attachment to this ordinance.

**SECTION 2.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source



for all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 3561-2023

**Drafting Date:** 12/7/2023

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

This ordinance authorizes the City Clerk to enter into a grant agreement with Brown Girls Mentoring, a non-profit entity, in support of the organization’s youth programming.

Brown Girls Mentoring was founded in 2016 with a mission to equip Brown Girls with tools to build their self-confidence, develop relationships, resolve conflict, make wise decisions, work in teams, and develop practical life skills. The program educates Brown Girls through lectures, trainings, activities, simulations, role play, and affirmations. Brown Girls Mentoring aims to empower young Brown Girls in all shades of beauty to know their worth, strive for excellence, and to embrace their natural beauty.

To help the Black girls in low resource areas of Columbus, Brown Girls Mentoring focuses on leadership development for Black Girls ages 5-16. The goal of the leadership development program is designed to:

- help Black Girls find their voices
- teach them how to withstand adversity and challenges
- introduce them to Black female leaders and change-agents who are making their communities better
- promote creative ways to make changes in their communities

Emergency action is necessary to provide immediate assistance to youth in need.

**Fiscal Impact:** Funding is available within the Neighborhood Initiatives subfund.

To authorize the City Clerk to enter into a grant agreement with Brown Girls Mentoring in support of the organization’s youth programming; to authorize an appropriation and expenditure within the Neighborhood Initiatives subfund; and to declare an emergency. (\$40,000.00)

**WHEREAS,** Brown Girls Mentoring was founded in 2016 with a mission to equip Brown Girls with tools to

build their self-confidence, develop relationships, resolve conflict, make wise decisions, work in teams, and develop practical life skills; and

**WHEREAS**, the program educates Brown Girls through lectures, trainings, activities, simulations, role play, and affirmations; and

**WHEREAS**, Brown Girls Mentoring aims to empower young Brown Girls in all shades of beauty to know their worth, strive for excellence, and to embrace their natural beauty; and

**WHEREAS**, an emergency exists in the usual daily operation of the Clerk's Office in that it is immediately necessary to authorize the City Clerk to enter into a grant agreement with Brown Girls Mentoring to provide immediate assistance to young Black and Brown girls in need, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Clerk is authorized to enter into a grant agreement with the not-for-profit Brown Girls Mentoring in support of the organization's youth programming.

**SECTION 2.** That the appropriation and expenditure of \$40,000.00, or so much thereof as may be needed pursuant to the action authorized in SECTION 1, is authorized in the Neighborhood Initiatives subfund, fund 1000, subfund 100018, per the accounting codes in the attachment to this ordinance.

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

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**Legislation Number:** 3570-2023

**Drafting Date:** 12/8/2023

**Version:** 1

**Current Status:** Passed

**Matter:** Ordinance

**Type:**

This ordinance authorizes the Director of the Department of Finance and Management to enter into a \$750,000.00 grant agreement with the Girls Scouts of Ohio's Heartland (GSOH).

The funding from the City will be used by the GSOH for camp and facility renovations related to its Dream Big Initiative. The Girl Scouts of Ohio's Heartland Dream Big Transformational Initiative will reimagine the 220-acre Camp Ken-Jockety and create a STEM immersive campus. Through this project, GSOH will provide

girls with the tools necessary to create pathways to in-demand careers and bridge the gender gap in the STEM field. With access to cutting-edge programs, a safe place to learn new skills, and mentors encouraging them along the way, girls will learn about jobs of the future to spark their interest and curiosity.

Currently, GSOH serves an average of 5,500 girls from the City of Columbus each year. With the development of the campus, GSOH is projected to serve 8,000 girls per year from Columbus within the first two years, and 10,000+ girls per year by year three of its opening. Girl Scouts of Ohio's Heartland serves girls in every zip code in the City of Columbus.

Through the Dream Big Transformational Initiative, Girl Scouts of Ohio's Heartland will:

- Be a place of learning that is accessible to our diverse community
- Provide robust, unique training focused on in-demand jobs
- Be an immersive learning campus for our youth and community
- Engage girls and youth in STEM and leadership learning

The Dream Big Initiative is a \$16 million project with the budget including renovations, new builds, and program investments, with funding commitments from many regional partners in both the private and public sector.

**Fiscal Impact:** Funding is available within the General Fund. A transfer of appropriation is necessary to establish sufficient authority within the proper object of expense. GSOH will utilize city funding of \$750,000.00 to support renovations, new builds, and program investments related to its new STEM camp.

**Girl Scouts of Ohio's Heartland, FID: 314379475**

**Emergency action** is requested so that STEM Campus renovations can commence as quickly as possible.

To authorize the Director of the Department of Finance and Management to enter into a grant agreement with the Girls Scouts of Ohio's Heartland; to authorize the transfer of \$750,000.00 within the General Fund; to authorize the expenditure of \$750,000.00 from the General Fund; and to declare an emergency (750,000.00)

**WHEREAS**, GSOH is a critical community partner, serving an average of 5,500 girls from the City of Columbus each year; and

**WHEREAS**, GSOH is seeking to invest in its Dream Big Transformational Initiative which will reimagine the 220-acre Camp Ken-Jockety and create a STEM immersive campus; and

**WHEREAS**, GSOH will provide girls with the tools necessary to create pathways to in-demand careers and bridge the gender gap in the STEM field; and

**WHEREAS**, Currently, GSOH serves an average of 5,500 girls from the City of Columbus each year and with the development of the campus, GSOH is projected to serve 8,000 girls per year from Columbus within the first two years, and 10,000+ girls per year by year three of its opening; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to enter into a grant agreement with the Girls Scouts of Ohio's Heartland for renovations, new builds, and program investments related to a new STEM campus so that STEM Campus renovations can commence as quickly as possible, thereby preserving the public health, peace, property, safety and welfare; **now, therefore**,

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

**SECTION 1.** That the Director of the Department of Finance and Management is hereby authorized to enter into a Grant Agreement in an amount up to \$750,000.00 with the Girls Scouts of Ohio's Heartland for renovations, new builds, and program investments related to a new STEM campus.

**SECTION 2.** That the transfer of \$750,000.00 or so much thereof as may be needed, is hereby authorized within the General Fund 1000 per the account codes in the attachment to this ordinance.

**SECTION 3.** That for the purpose as stated in Section 1, the expenditure of \$750,000.00, or so much thereof as may be necessary, is hereby authorized in the General Fund 1000 per the accounting codes in the attachment to this ordinance.

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

### 2329.11 Community noise.

(A) Definitions. All definitions/terminology used in this chapter, not defined below, shall be in conformance with applicable standards of the American National Standards Institute (ANSI) or its successor body. For the purpose of this chapter certain words and phrases used herein are defined as follows:

- (1) "Auditory device" means any device that can be used to create a sound that can be heard.
- (2) "Average sound level" means a sound level typical of the sound levels observed at a certain place during a given period of time averaged by the general rule of combination for sound levels, said general rule being set forth in ANSI specifications for sound level meters. Average sound level is also called equivalent continuous sound level.
- (3) "Building and Zoning Services director" means the director of the department of building and zoning services of the City of Columbus or authorized representative.
- (4) "dBA" means a sound meter reading taken over a minimum of a one hour period producing an average reading emitted from any stationary sound source, auditory device, or sound amplification system.
- ~~(3)~~(5) "Decibel" means a unit for measuring the intensity of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals. Decibel is denoted as "dB."
- ~~(4)~~(6) "Device" means any system or machine devised or constructed to perform one or more tasks.
- ~~(5)~~(7) "Emergency work" means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.
- ~~(6)~~(8) "Health commissioner" means the health commissioner of the City of Columbus or an authorized representative.
- ~~(7)~~ "Musical instrument" means any device designed to produce music.
- ~~(8)~~(9) "Land use category" means those land uses defined and established by the Zoning Code and all subsequent changes and additions.
- ~~(9)~~(10) "Loud or raucous noise" means any noise or sound that emanates in such manners and/or volume and is of such intensity, character and duration to be offensive or disturbing to a person of ordinary sensibilities.
- ~~(10)~~(11) "Machine" means any system or device together with its power source and auxiliary equipment used to accomplish a specific objective.
- (12) "Musical instrument" means any device designed to produce music.
- (13) "Non-residential property" means any area zoned or utilized for purposes other than residential, including but not limited to commercial, manufacturing, and institutional.

~~(11)~~(14) "Person" means any public corporation, private corporation, individual, firm, partnership, association or other entity.

~~(12)~~(15) "Property line" means the line along the ground surface, and its vertical extension, which separates the real property owned, rented, leased or occupied by one or more persons from that owned, rented, leased or occupied by another person and the imaginary line which represents the legal limits of property of any person who owns, rents, leases, or otherwise occupies an apartment, condominium, hotel or motel room or any other type of Residential Unit occupancy.

~~(13)~~(16) "Residential Unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including, but not limited to, any residential units located within Planned Unit Development Districts, Planned Community Districts, or any other area zoned for mixed use.

~~(13)~~ "Property zoned residential" means any area zoned or utilized for residential purposes.~~(14)~~

(17) "Safety director" means the director of the department of public safety of the City of Columbus or authorized representative.

~~(16)~~(18) "Sound amplification system" means any device used for the amplification of the human voice, music, or other sound and includes, but is not limited to, any radio, tape player, compact disc player or loud speaker.

~~(17)~~(19) "Stationary sound source" means a machine or device capable of creating a noise level at the property upon which it is regularly located, including, but not limited to standing motor vehicles, industrial and commercial process machinery and equipment, pumps, fans, air-conditioning apparatus or refrigeration machines.

~~(18)~~(20) "Warning device" means any device, which signals an unsafe or potentially dangerous situation.

(B) Sound levels for land use districts.

~~(4)~~ The maximum allowable hourly average sound level shall not exceed the limits set forth in Table I for the respective categories of receiving land use. The actual sound level shall be determined during any measurement period, which shall not be less than sixty (60) consecutive minutes, and shall be measured ~~at the property boundary~~ from within the building or structure affected by the sound.

**Table I**

Receiving Land Use Category	Time		1 hr. Average Sound Level (dBA)
	10:00 p.m.	7:00 a.m.	
Institutional	10:00 p.m.	7:00 a.m.	60

	7:00 a.m.	10:00 p.m.	65
Residential (all categories)	10:00 p.m.	7:00 a.m.	60
	7:00 a.m.	10:00 p.m.	65
Commercial	10:00 p.m.	7:00 a.m.	70
	7:00 a.m.	10:00 p.m.	75
Manufacturing	Anytime		80

(1) ~~New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the director of the department or his designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to, air transportation and land transportation noise sources as well as stationary noise sources. Adequate control measures may be recommended to mitigate the impact of those identified noise sources to effect compliance with this code.~~

(C) Prohibited sounds:

- (1) No person shall make or allow to be made any unreasonably loud and/or raucous noise in such a manner or at such a volume as to disturb the quiet, comfort, or repose of a person of ordinary sensibilities. Strict liability is intended to be imposed for a violation of this section division.
- (2) In addition to the prohibition set out in (C)(1), the following specific acts are declared to be in violation of this ordinance:
  - (a) No person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from a residential unit ~~real property that is zoned residential~~ in a manner as to be heard audible at a distance of fifty (50) feet beyond the property line of the property from which the sound emanates. Strict liability is intended to be imposed for a violation of this section division.
  - (b) Where there are two (2) or more residential units contained within one (1) structure, or adjoining properties each with a residential unit within fifty (50) feet of one another, ~~within a property zoned residential,~~ no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from a residential unit in a manner as to be heard audible ~~within said structure~~ at a distance of twenty-five (25) feet beyond the property line of the ~~away from the~~ residential unit from which the sound emanates. Strict liability is intended to be imposed for a violation of this section division.

~~(c) Where there are adjoining properties that are zoned residential, each of which has a residential unit, and where the residential units are located within fifty (50) feet of one another, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source in a manner as to be heard at a distance of twenty five (25) feet onto the adjoining residential property. Strict liability is intended to be imposed for this section.~~

(c) Between the hours of 10:00 p.m. and 7:00am, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from non-residential property in a manner as to be audible at the property line of a residential unit that is one hundred (100) feet or more beyond the property line of the property from which the sound emanates. Strict liability is intended to be imposed for a violation of this division.

(D) Special provisions (exemptions).

(1) The provisions of Section 2329.11 shall not apply to the following:

- (a) The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.
- (b) Warning devices necessary for the protection of public safety.
- (c) Outdoor gatherings, public dances, shows, ~~and sporting events, concerts, and~~ entertainment events and other temporary events that may emanate noise in violation of the provisions of this Chapter, provided these events are conducted pursuant to a permit or license issued by the ~~of~~ License Section of the Department of ~~Public Safety Building and Zoning Services~~ or The Special Events Section of The Department of Recreation and Parks.
- (d) Public works projects as authorized by the state and/or other political subdivisions
- (e) The emission of sound ~~from property zoned residential~~ that is periodically generated by activities required to maintain the property in compliance with housing, building, zoning, fire, safety, health or sanitation codes and which occurs between the hours of 7:00 a.m. to 10:00 p.m.

(E) New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the director of the department of building and zoning services, or designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to, air transportation and land transportation noise sources, as well as stationary sound sources.

- (1) Adequate control measures may be required by the director of the department of building and zoning services to be installed in the receiving land use **any new structure or project** in order to mitigate the impact of those identified noise sources.
- (2) Properties with an established use that complies with this chapter shall remain subject to the receiving land use categories of surrounding properties existing at the time the use was established and shall not be impacted by any subsequent zoning changes that may change the receiving land use categories of surrounding properties.

(F) ~~(E)~~ Inspection.

(1) The appropriate authority may inspect upon consent, at any reasonable time and in a



reasonable manner, any device or mechanism, which creates any disturbing noise, including but not limited to the premises where such device or mechanism is used.

- (2) If entry to the premises is denied or refused, the appropriate authority shall obtain an inspection warrant from a court of competent jurisdiction.

(G) ~~(F)~~ Variance Procedure.

- (1) Any person who receives a notice of violation of ~~violates~~ any provision of Section 2329.11(B)(1) ~~and (2)~~ not covered by permit or license, may file an application with the Columbus Board of Health for a variance.

The board of health may grant a variance in a specific case and from a specific provision of any regulation, order or notice subject to appropriate conditions and provided the board makes specific findings of fact based on evidence relating to the following:

- (a) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order or notice; and
- (b) That the effect of the application of the provisions would be arbitrary in the specific case; and
- (c) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
- (d) That such variance is in harmony with the general purpose and intent of the board in securing the public health, safety and general welfare.

In determining whether there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order, or notice, the Board shall take into consideration whether strict compliance would result in practical difficulties, unnecessary hardships or closing down of an existing business, plant or operation due to a change in the allowable dBA at the property boundary occasioned by an alteration in the receiving land use category of an adjoining or adjacent property.

The application shall be accompanied by a fee in the amount of one hundred (\$100.00) dollars. A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one (1) application. Upon receipt of said application and fee, the board will render a decision within thirty (30) calendar days.

~~(2) Any person who violates any provision of Section 2329.11 other than those specified in Section 2329.11(F)(1) which is not covered by permit or license may file an application with the director of public safety building and zoning services for a variance from the provisions of Section 2329.11 other than those specified in Section 2329.11(F)(1). Any person applying for a variance on behalf of a property zoned for manufacturing for which an adjoining or adjacent property has or will change zoning use to a non-manufacturing use, shall detail how strict compliance would result in practical difficulties, unnecessary hardships or closing down of an existing business, plant or operation due to a change in the noise emitted at the property boundary occasioned by an alteration in the receiving land use category of an adjoining or adjacent property. Any applicant on behalf of a property zoned for a non-manufacturing use shall set forth all actions taken to comply with said provision, the reasons why compliance cannot be achieved, the proposed method for achieving compliance, and the proposed time schedule for its accomplishment. Any application shall be accompanied by a fee in the amount of one hundred (\$100.00) dollars to be set by the director of building and zoning services. A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property~~

~~may be combined into one (1) application. Upon receipt of said application and fee, the safety building and zoning services director will render a decision within thirty (30) calendar days.~~

~~(H)~~ ~~(G)~~ Issuance of notices and orders.

- (1) The health commissioner, safety director, and building and zoning services director or their designee may issue notices and orders requiring the abatement of all violations of this chapter and the correction of any condition, which may result in a violation of this chapter. Failure to act upon such notice or order within the time limit set forth therein or within the time extension granted by the commissioner, director or their designee, may result in revocation of any existing permit issued under this chapter.

~~(I)~~ Enforcement

- (1) The Department of Public Health, the Division of Police, and the Department of Building and Zoning Services shall have the power to effect compliance with this Section.
- (2) Employees of these departments may use sound level meters to gather evidence in effecting compliance with this section.
- (3) The director of the department of building and zoning services may adopt such rules and regulations as deemed necessary to carry out the provisions of this Chapter.

~~(H)~~~~(J)~~ Severability.

If any provision of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.

~~(H)~~~~(K)~~ Penalty.

- (1) Whoever violates division (C)(1) of this section is guilty of unreasonably loud and/or raucous noise. Except as otherwise provided in this division, unreasonably loud and/or raucous noise is a minor misdemeanor. If the offender persists in making or allowing to be made unreasonably loud and/or raucous noise after reasonable warning or request to desist within a twelve-hour period, unreasonably loud and/or raucous noise is a misdemeanor of the fourth degree.
- (2) Whoever violates division (C)(2) of this section is guilty of prohibited sound. Except as otherwise provided in this division, prohibited sound is a minor misdemeanor. If the offender persists in operating or permitting the operation of a sound amplification system, auditory device, or stationary sound source in violation of the prohibitions contained in division (C)(2) after reasonable warning or request to desist within a twelve-hour period, prohibited sound is a misdemeanor of the fourth degree.
- (3) If the offender has previously been convicted of a violation of C.C.C. Section 2329.11, a violation of this section is a misdemeanor of the fourth degree.
- (4) In accordance with section 2301.23 of the Columbus City Codes, organizational criminal liability is intended to be imposed for a violation of this section.
- (5) The owner of a Non-Residential Property that is the source of sounds emitted in violation of the prohibitions contained in division (c)(2) may be served notice of a civil infraction and fined as follows: \$500 for the first violation, \$1,000 for the second violation and \$5,000 for the third, and each subsequent, violation occurring within a one-year period.
  - a. Affirmative defenses. The owner of the Non-Residential Property shall not be liable for a fine under this division where, on appeal, sufficient evidence of one of the following conditions is proven:
    1. At the time of the violation, the Non-Residential Property was in the

- possession of someone other than its owner pursuant to a written lease or rental agreement and the owner provides a copy of the lease or rental agreement along with the name and address of the lessee or renter.
2. At the time of the violation, the Non-Residential Property was occupied in violation of law and the owner provides a copy of a police report alleging that the Non-Residential Property had been the subject of an unlawful entry.
- b. Appeal. An owner may appeal their civil infraction to the property maintenance appeals board by filing a notice of appeal, on a form and in a manner prescribed by the department, within fifteen (15) days of service of the notice of civil infraction.
1. Upon the filing of a timely notice of appeal, the property maintenance appeals board shall conduct a hearing on the appeal within forty-five (45) days unless a continuance is requested by either party and granted by the chair of the board.
  2. At such hearing, the burden shall be on the director to prove the violation by a preponderance of substantial, reliable, and probative evidence.
  3. The property maintenance appeals board shall render its decision in writing, including findings of fact and conclusions of law, within five (5) days of the date of the hearing. The decision of the property maintenance appeals board may reverse, modify or affirm the order and action of the director.
  4. Decisions of the property maintenance appeals board issued pursuant to this section may be appealed to the environmental division of the Franklin County Municipal Court pursuant to Ohio Revised Code Chapter 2506.
- (6) In addition to any other remedy available by law, the director of the department of building and zoning services may file a civil action in the environmental division of the Franklin County Municipal Court seeking a court order to recover any accumulated civil fines and/or for injunctive relief, or a criminal misdemeanor complaint.

### 2329.11 Community noise.

(A) Definitions. All definitions/terminology used in this chapter, not defined below, shall be in conformance with applicable standards of the American National Standards Institute (ANSI) or its successor body. For the purpose of this chapter certain words and phrases used herein are defined as follows:

- (1) "Auditory device" means any device that can be used to create a sound that can be heard.
- (2) "Average sound level" means a sound level typical of the sound levels observed at a certain place during a given period of time averaged by the general rule of combination for sound levels, said general rule being set forth in ANSI specifications for sound level meters. Average sound level is also called equivalent continuous sound level.
- (3) "Building and Zoning Services director" means the director of the department of building and zoning services of the City of Columbus or authorized representative.
- (4) "dBA" means a sound meter reading taken over a minimum of a one hour period producing an average reading emitted from any stationary sound source, auditory device, or sound amplification system.
- ~~(3)~~(5) "Decibel" means a unit for measuring the intensity of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals. Decibel is denoted as "dB."
- ~~(4)~~(6) "Device" means any system or machine devised or constructed to perform one or more tasks.
- ~~(5)~~(7) "Emergency work" means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.
- ~~(6)~~(8) "Health commissioner" means the health commissioner of the City of Columbus or an authorized representative.
- ~~(7)~~ "Musical instrument" means any device designed to produce music.
- ~~(8)~~(9) "Land use category" means those land uses defined and established by the Zoning Code and all subsequent changes and additions.
- ~~(9)~~(10) "Loud or raucous noise" means any noise or sound that emanates in such manners and/or volume and is of such intensity, character and duration to be offensive or disturbing to a person of ordinary sensibilities.
- ~~(10)~~(11) "Machine" means any system or device together with its power source and auxiliary equipment used to accomplish a specific objective.
- (12) "Musical instrument" means any device designed to produce music.
- (13) "Non-residential property" means any area zoned or utilized for purposes other than residential, including but not limited to commercial, manufacturing, and institutional.

~~(11)~~(14) "Person" means any public corporation, private corporation, individual, firm, partnership, association or other entity.

~~(12)~~(15) "Property line" means the line along the ground surface, and its vertical extension, which separates the real property owned, rented, leased or occupied by one or more persons from that owned, rented, leased or occupied by another person and the imaginary line which represents the legal limits of property of any person who owns, rents, leases, or otherwise occupies an apartment, condominium, hotel or motel room or any other type of Residential Unit occupancy.

~~(13)~~(16) "Residential Unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation including, but not limited to, any residential units located within Planned Unit Development Districts, Planned Community Districts, or any other area zoned for mixed use.

~~(13)~~ "Property zoned residential" means any area zoned or utilized for residential purposes.~~(14)~~

(17) "Safety director" means the director of the department of public safety of the City of Columbus or authorized representative.

~~(16)~~(18) "Sound amplification system" means any device used for the amplification of the human voice, music, or other sound and includes, but is not limited to, any radio, tape player, compact disc player or loud speaker.

~~(17)~~(19) "Stationary sound source" means a machine or device capable of creating a noise level at the property upon which it is regularly located, including, but not limited to standing motor vehicles, industrial and commercial process machinery and equipment, pumps, fans, air-conditioning apparatus or refrigeration machines.

~~(18)~~(20) "Warning device" means any device, which signals an unsafe or potentially dangerous situation.

(B) Sound levels for land use districts.

~~(4)~~ The maximum allowable hourly average sound level shall not exceed the limits set forth in Table I for the respective categories of receiving land use. The actual sound level shall be determined during any measurement period, which shall not be less than sixty (60) consecutive minutes, and shall be measured ~~at the property boundary~~ from within the building or structure affected by the sound.

**Table I**

Receiving Land Use Category	Time		1 hr. Average Sound Level (dBA)
	10:00 p.m.	7:00 a.m.	
Institutional	10:00 p.m.	7:00 a.m.	60

	7:00 a.m.	10:00 p.m.	65
Residential (all categories)	10:00 p.m.	7:00 a.m.	60
	7:00 a.m.	10:00 p.m.	65
Commercial	10:00 p.m.	7:00 a.m.	70
	7:00 a.m.	10:00 p.m.	75
Manufacturing	Anytime		80

(1) ~~New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the director of the department or his designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to, air transportation and land transportation noise sources as well as stationary noise sources. Adequate control measures may be recommended to mitigate the impact of those identified noise sources to effect compliance with this code.~~

(C) Prohibited sounds:

- (1) No person shall make or allow to be made any unreasonably loud and/or raucous noise in such a manner or at such a volume as to disturb the quiet, comfort, or repose of a person of ordinary sensibilities. Strict liability is intended to be imposed for a violation of this section division.
- (2) In addition to the prohibition set out in (C)(1), the following specific acts are declared to be in violation of this ordinance:
  - (a) No person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from a residential unit ~~real property that is zoned residential~~ in a manner as to be heard audible at a distance of fifty (50) feet beyond the property line of the property from which the sound emanates. Strict liability is intended to be imposed for a violation of this section division.
  - (b) Where there are two (2) or more residential units contained within one (1) structure, or adjoining properties each with a residential unit within fifty (50) feet of one another, ~~within a property zoned residential,~~ no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from a residential unit in a manner as to be heard audible ~~within said structure~~ at a distance of twenty-five (25) feet beyond the property line of the ~~away from the~~ residential unit from which the sound emanates. Strict liability is intended to be imposed for a violation of this section division.

~~(c) Where there are adjoining properties that are zoned residential, each of which has a residential unit, and where the residential units are located within fifty (50) feet of one another, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source in a manner as to be heard at a distance of twenty five (25) feet onto the adjoining residential property. Strict liability is intended to be imposed for this section.~~

(c) Between the hours of 10:00 p.m. and 7:00am, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from non-residential property in a manner as to be audible at the property line of a residential unit that is one hundred (100) feet or more beyond the property line of the property from which the sound emanates. Strict liability is intended to be imposed for a violation of this division.

(D) Special provisions (exemptions).

(1) The provisions of Section 2329.11 shall not apply to the following:

- (a) The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.
- (b) Warning devices necessary for the protection of public safety.
- (c) Outdoor gatherings, public dances, shows, ~~and sporting events, concerts, and~~ entertainment events and other temporary events that may emanate noise in violation of the provisions of this Chapter, provided these events are conducted pursuant to a permit or license issued by the ~~of~~ License Section of the Department of ~~Public Safety Building and Zoning Services~~ or The Special Events Section of The Department of Recreation and Parks.
- (d) Public works projects as authorized by the state and/or other political subdivisions
- (e) The emission of sound ~~from property zoned residential~~ that is periodically generated by activities required to maintain the property in compliance with housing, building, zoning, fire, safety, health or sanitation codes and which occurs between the hours of 7:00 a.m. to 10:00 p.m.

(E) New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the director of the department of building and zoning services, or designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to, air transportation and land transportation noise sources, as well as stationary sound sources.

- (1) Adequate control measures may be required by the director of the department of building and zoning services to be installed in the receiving land use project in order to mitigate the impact of those identified noise sources.
- (2) Properties with an established use that complies with this chapter shall remain subject to the receiving land use categories of surrounding properties existing at the time the use was established and shall not be impacted by any subsequent zoning changes that may change the receiving land use categories of surrounding properties.

(F) ~~(E)~~ Inspection.

(1) The appropriate authority may inspect upon consent, at any reasonable time and in a

reasonable manner, any device or mechanism, which creates any disturbing noise, including but not limited to the premises where such device or mechanism is used.

- (2) If entry to the premises is denied or refused, the appropriate authority shall obtain an inspection warrant from a court of competent jurisdiction.

(G) ~~(F)~~ Variance Procedure.

- (1) Any person who receives a notice of violation of ~~violates~~ any provision of Section 2329.11(B)(1) ~~and (2)~~ not covered by permit or license, may file an application with the Columbus Board of Health for a variance.

The board of health may grant a variance in a specific case and from a specific provision of any regulation, order or notice subject to appropriate conditions and provided the board makes specific findings of fact based on evidence relating to the following:

- (a) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order or notice; and
- (b) That the effect of the application of the provisions would be arbitrary in the specific case; and
- (c) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
- (d) That such variance is in harmony with the general purpose and intent of the board in securing the public health, safety and general welfare.

In determining whether there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order, or notice, the Board shall take into consideration whether strict compliance would result in practical difficulties, unnecessary hardships or closing down of an existing business, plant or operation due to a change in the allowable dBA at the property boundary occasioned by an alteration in the receiving land use category of an adjoining or adjacent property.

The application shall be accompanied by a fee in the amount of one hundred (\$100.00) dollars. A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one (1) application. Upon receipt of said application and fee, the board will render a decision within thirty (30) calendar days.

~~(2) Any person who violates any provision of Section 2329.11 other than those specified in Section 2329.11(F)(1) which is not covered by permit or license may file an application with the director of public safety building and zoning services for a variance from the provisions of Section 2329.11 other than those specified in Section 2329.11(F)(1). Any person applying for a variance on behalf of a property zoned for manufacturing for which an adjoining or adjacent property has or will change zoning use to a non-manufacturing use, shall detail how strict compliance would result in practical difficulties, unnecessary hardships or closing down of an existing business, plant or operation due to a change in the noise emitted at the property boundary occasioned by an alteration in the receiving land use category of an adjoining or adjacent property. Any applicant on behalf of a property zoned for a non-manufacturing use shall set forth all actions taken to comply with said provision, the reasons why compliance cannot be achieved, the proposed method for achieving compliance, and the proposed time schedule for its accomplishment. Any application shall be accompanied by a fee in the amount of one hundred (\$100.00) dollars to be set by the director of building and zoning services. A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property~~



~~may be combined into one (1) application. Upon receipt of said application and fee, the safety building and zoning services director will render a decision within thirty (30) calendar days.~~

~~(H)~~ ~~(G)~~ Issuance of notices and orders.

- (1) The health commissioner, safety director, and building and zoning services director or their designee may issue notices and orders requiring the abatement of all violations of this chapter and the correction of any condition, which may result in a violation of this chapter. Failure to act upon such notice or order within the time limit set forth therein or within the time extension granted by the commissioner, director or their designee, may result in revocation of any existing permit issued under this chapter.

~~(I)~~ Enforcement

- (1) The Department of Public Health, the Division of Police, and the Department of Building and Zoning Services shall have the power to effect compliance with this Section.
- (2) Employees of these departments may use sound level meters to gather evidence in effecting compliance with this section.
- (3) The director of the department of building and zoning services may adopt such rules and regulations as deemed necessary to carry out the provisions of this Chapter.

~~(H)~~~~(J)~~ Severability.

If any provision of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.

~~(H)~~~~(K)~~ Penalty.

- (1) Whoever violates division (C)(1) of this section is guilty of unreasonably loud and/or raucous noise. Except as otherwise provided in this division, unreasonably loud and/or raucous noise is a minor misdemeanor. If the offender persists in making or allowing to be made unreasonably loud and/or raucous noise after reasonable warning or request to desist within a twelve-hour period, unreasonably loud and/or raucous noise is a misdemeanor of the fourth degree.
- (2) Whoever violates division (C)(2) of this section is guilty of prohibited sound. Except as otherwise provided in this division, prohibited sound is a minor misdemeanor. If the offender persists in operating or permitting the operation of a sound amplification system, auditory device, or stationary sound source in violation of the prohibitions contained in division (C)(2) after reasonable warning or request to desist within a twelve-hour period, prohibited sound is a misdemeanor of the fourth degree.
- (3) If the offender has previously been convicted of a violation of C.C.C. Section 2329.11, a violation of this section is a misdemeanor of the fourth degree.
- (4) In accordance with section 2301.23 of the Columbus City Codes, organizational criminal liability is intended to be imposed for a violation of this section.
- (5) The owner of a Non-Residential Property that is the source of sounds emitted in violation of the prohibitions contained in division (c)(2) may be served notice of a civil infraction and fined as follows: \$500 for the first violation, \$1,000 for the second violation and \$5,000 for the third, and each subsequent, violation occurring within a one-year period.
  - a. Affirmative defenses. The owner of the Non-Residential Property shall not be liable for a fine under this division where, on appeal, sufficient evidence of one of the following conditions is proven:
    1. At the time of the violation, the Non-Residential Property was in the

- possession of someone other than its owner pursuant to a written lease or rental agreement and the owner provides a copy of the lease or rental agreement along with the name and address of the lessee or renter.
2. At the time of the violation, the Non-Residential Property was occupied in violation of law and the owner provides a copy of a police report alleging that the Non-Residential Property had been the subject of an unlawful entry.
- b. Appeal. An owner may appeal their civil infraction to the property maintenance appeals board by filing a notice of appeal, on a form and in a manner prescribed by the department, within fifteen (15) days of service of the notice of civil infraction.
1. Upon the filing of a timely notice of appeal, the property maintenance appeals board shall conduct a hearing on the appeal within forty-five (45) days unless a continuance is requested by either party and granted by the chair of the board.
  2. At such hearing, the burden shall be on the director to prove the violation by a preponderance of substantial, reliable, and probative evidence.
  3. The property maintenance appeals board shall render its decision in writing, including findings of fact and conclusions of law, within five (5) days of the date of the hearing. The decision of the property maintenance appeals board may reverse, modify or affirm the order and action of the director.
  4. Decisions of the property maintenance appeals board issued pursuant to this section may be appealed to the environmental division of the Franklin County Municipal Court pursuant to Ohio Revised Code Chapter 2506.
- (6) In addition to any other remedy available by law, the director of the department of building and zoning services may file a civil action in the environmental division of the Franklin County Municipal Court seeking a court order to recover any accumulated civil fines and/or for injunctive relief, or a criminal misdemeanor complaint.

## Chapter 912 TREES AND SHRUBS; COLUMBUS TREE SUBCOMMISSION

### 912.00 Purpose and Intent.

This chapter establishes policies and standards necessary to protect, maintain, and grow Columbus' public trees, a critical part of the city's infrastructure. This chapter regulates trees on public property but recognizes that trees on private property are part of Columbus' collective urban forest.

The intent of this chapter is to protect, preserve, and grow Columbus' public tree canopy and support its management by:

(A) Recognizing trees and the urban forest as a valuable and necessary city asset which is treated as an equal utility and service to the public.

(B) Establishing and enforcing standards to properly plant, maintain, and protect public trees and maximize the benefits the urban forest provides to Columbus, including:

- filtering pollution from the air.
- sequestering carbon dioxide.
- absorbing and filtering pollution from stormwater run-off.
- producing oxygen.
- reducing flooding.
- stabilizing soils and reducing erosion.
- cooling the environment and helping reduce urban heat island impacts.
- reducing energy consumption by shielding structures from harsh winds and sun.
- providing a buffer and screen against noise, light, and pollution.
- improving property values.
- improving commercial district buyer traffic.
- lowering crime rates.
- improving community interaction.
- providing habitat for birds and other wildlife.
- protecting and enhancing quality of life.

(C) Recognizing that some trees may have a condition or risk rating that may endanger or be a nuisance to the public or property within the city of Columbus or may put at risk the health of other trees and vegetation.

### 912.01 Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations have the meanings set forth herein:

(A) "Caliper" means the diameter of a tree that is measured at six inches (15 cm) above ground level for trees up to four-inch caliper and 12 inches above ground level for larger sizes. This measurement is commonly used in the nursery industry to measure tree planting stock.

(B) "Certified Arborist" means an individual trained in the art and science of planting, caring for, and maintaining trees that has been certified by the International Society of Arboriculture.

(C) "Critical Root Zone (CRZ)" means the area of soil extending from the tree trunk in which roots required for future tree health and survival are located. This area is defined as a circle with a minimum radius of 1.5 feet for every 1 inch in Diameter at Standard Height (DSH).

- (D) "Damage" means the impact or loss to any tree including, but not limited to, removal, root cutting, root removal, girdling, soil compaction, soil contamination, topping, pruning more than 20% of the tree's canopy, bark removal, poisoning and/or actions contributing to the decline or death of a tree.
- (E) "Department" means the recreation and parks department of the city of Columbus.
- (F) "Diameter at standard height (DSH)" means the diameter of a tree measured at 4.5 feet above the existing grade.
- (G) "Director" means the director of the recreation and parks department of the city, or any representative the director so designates.
- (H) "Girdling" means the deliberate act of removing a continuous ring of bark and underlying tissues from the circumference of a tree trunk, resulting in the interruption of the flow of water, nutrients, and carbohydrates between the roots and the canopy.
- (I) "Nuisance Tree(s)" means tree(s) that may negatively impact other trees, people, or structures. This would include, but is not limited to, trees that are diseased, infested, structurally unsound, known invasive species, or trees on the prohibited species list maintained by the department.
- (J) "Occupant" means the person or persons who are from time to time in possession of any house or other structure located on private property, or who are exercising dominion or control over any house or other structure located on private property.
- (K) "Other plants" means all other vegetation not trees or shrubs.
- (L) "Park" means all city parks, parklands, or waterways, as well as all other areas out granted or under lease, license, written or concession agreement.
- (M) "Person" means any individual, firm, partnership, association, corporation, business trust, joint stock company, unincorporated organization, religious, government or charitable organization, or any owner, or other legal entity.
- (N) "Plant material" means all trees, shrubs, and other plants.
- (O) "Private property" means all real estate within the city of Columbus except real estate that is owned, leased, controlled, or occupied by the United States government, state of Ohio, County governments, city of Columbus, or any department or agency thereof.
- (P) "Property owner" shall be presumed to be any one or more of the following:
  - (1) The property owner or owners in fee simple of a parcel of real estate including the life tenant or tenants, if any; or
  - (2) The record owner or owners as reflected by the current records in the Franklin or applicable County auditor's office; or
  - (3) The purchaser or purchasers of such real estate under any contract for the conditional sale thereof.
- (Q) "Public place" means all other ground owned or controlled by the city that is not part of a "public street" or "park".
- (R) "Public street" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular traffic. For the purposes of this chapter, public street includes the right-of-way.
- (S) "Public tree" means any tree growing on land owned by the city including lands defined as "public place", "public street", or "park."
- (T) "Right of way" means a general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. Right of way includes

- the roadway, shoulders or berm, ditch and slopes extending to the right-of-way limits under the control of the federal, state, or local authority.
- (U) "Topping (top)" means an unacceptable method of pruning that alters the tree's natural shape by the cutting back of whole tops or large limbs, leaving stubs or natural branches that are too small to assume the role of terminal growth.
  - (V) "Trees" when used by itself, means any woody plant which generally includes those having a single main stem which grows to a mature height of over ten (10) feet. Trees include both deciduous and evergreen species.
  - (W) "Trees and shrubs" when used together means all woody vegetation including but not limited to all ground covers.
  - (X) "Tree Protection Zone (TPZ)" means the portion of the Critical Root Zone that must be protected during construction, as set forth in rules and regulations promulgated by the Director.
  - (Y) "Waterways" means all city-controlled water including, but not limited to, reservoir lands, rivers, lakes, creeks, streams, ponds, fountains, and water-filled quarries.
  - (Z) "Young tree care" means any maintenance undertaken during the first five years after the tree is planted, including but not limited to watering, mulching, fertilizing, and pruning.

### **912.02 - Applicability.**

The provisions of this chapter shall apply to all trees owned or under the control of the city except as otherwise specifically provided. The provisions of this chapter do not apply to city-owned property eligible for coverage under a Land Stewardship Agreement entered into between the Department of Public Utilities and a private property owner pursuant to chapter 1117 of the Columbus City Codes.

### **912.03 Administration and Enforcement.**

- (A) The Director shall have authority, custody, and control for the care, planting, and removal of trees and shrubs planted or to be planted in or on public streets, parks, and public places.
- (B) The Director may issue permits and promulgate rules and regulations, including the establishment of fees, for public tree care, planting, removal, protection, and mitigation, and the issuance of notices of violation, as necessary to administer the provisions of this chapter.
- (C) The Director shall have authority to plant, prune, spray, remove, and otherwise maintain such trees and shrubs in the public streets, public places, and parks.
- (D) The Director may declare any vertebrate or invertebrate animal, plant pathogen, or plant that threatens to cause significant damage to Columbus' trees and urban forest a tree pest and prescribe control measures to eradicate, control, or manage the tree pest, including necessary timelines for action.
- (E) The provisions of this chapter shall be administered and enforced by the Director. It shall be the duty of the Director to inspect or examine any street, park, or public place and order the remedy of any conditions found in violation of this chapter.
- (F) Policies, rules, and regulations may be established, amended, and revised by the Director to control tree planting, pruning, cabling, spraying, root cutting, and other work on or near public trees by contractors, abutting property owners, and/or others. The Director may promulgate rules and regulations, as they deem appropriate from time to time, to carry out the express purposes and intent of this chapter. The Director shall promulgate rules and regulations by filing the same with the city clerk for publication in the City Bulletin pursuant to section 121.05 of the Columbus City Codes.

(G) Departmental use of city resources to plant and maintain trees on private property, in reasonable furtherance of city goals to prioritize, preserve, and grow tree canopy in Columbus, constitutes a proper public purpose and is hereby authorized subject to the provisions of chapter 329 of the Columbus City Codes.

(H) The Director shall have the authority to establish criteria and processes for the selection of a hearing officer and for consideration of requests for variance from this code or rules and regulations promulgated hereunder.

#### **912.04 Prohibited Activities**

No person, without privilege to do so, shall recklessly do any of the following in a public street, park, or public place:

- (A) Break, deface, injure, mutilate, top, kill or destroy any tree or shrub.
- (B) Destroy or alter any vegetation on park property in violation of Chapter 919 - Park Rules and Regulations
- (C) Hinder, prevent, or interfere with the agents, contractors, or employees of the recreation and parks department while the agents, contractors, or employees are engaged in planting, maintaining, or removing any tree or shrub.
- (D) Place or maintain upon the ground any stone, brick, sand, concrete, plant (except turf grass), or other material which may injure or impede the passage of water, air and fertilizer to the roots of any trees or shrubs.
- (E) Attach any rope, wire, nails, advertising poster, or other contrivance to any tree.
- (F) Permit any fire to burn where such fire or heat therefrom, or heat from any source, will injure any portion of any tree.
- (G) Store or place construction materials, vehicles, or equipment within the tree protection zone (TPZ) of a tree.
- (H) Compact soil with vehicles or equipment within the TPZ of a tree.
- (I) Change the soil grade within the TPZ of a tree.
- (J) Violate the conditions of any permit issued pursuant to Section 912.05.

#### **912.05 Tree Permits and Restricted Activities.**

(A) No person shall plant, set out, or engage in the maintenance of any tree or shrub by removal, stump grinding, application of herbicide or other chemicals, fertilizing, bracing, cabling, pruning, surgery work, cutting above or below the ground, or cutting of roots in a public street, park, or public space without first obtaining a permit issued by the department.

(B) No person shall excavate any ditch, tunnel or trench, or lay any drive within a minimum radius of ten (10) feet or within the TPZ, whichever is greater, of any tree or shrub growing on any public street, park, or public place without first obtaining a permit issued by the department.

(C) Tree removal approved by the Director shall be conducted in accordance with tree protection and mitigation requirements set forth in this chapter including the following:

(1) The approval shall only be issued when the Director determines that the work applied for is necessary and that the proposed method of work is consistent with industry arboricultural standards and best management practices, and City of Columbus policies, rules, and regulations.

(2) Any and all work to maintain, plant, or remove a public tree, including all activities described in section 912.06 shall be approved for execution by certified arborists or by people working under the supervision of a certified arborist.

(D) Strict liability is intended for violations of divisions (A) and (B) of this section.

### **912.06. Tree Mitigation and Protection.**

The intent of this section is to preserve existing trees and replenish lost tree canopy providing for tree mitigation and protection. This section applies to the removal or injury of any public tree on public streets, parks, and public places.

(A) Prior to commencement of any work, including but not limited to, initial design and all subsequent design revisions, clearing, grubbing, grading, excavation, and construction on any public street, park, or public place where a public tree is located within the proposed work limits, a public tree plan shall be submitted by the project owner for departmental approval. The plan shall follow guidelines, standards, and best management practices developed by the department.

(B) If the Director determines that it is not practical to avoid tree removal, then the Director shall require that the public tree plan include the replacement of trees as follows:

(1) at a rate of 1:1, one (1) caliper inch of replacement for every one (1)-DSH inch of removal; and

(2) on the site where trees have been removed. If the site cannot accommodate all required replacement trees, they may be planted in locations as approved by the Director. Payment into the Tree Fund, at a rate established by the Director, shall be required if there are not suitable planting locations as determined by the Director; and

(3) as soon as practical; and

(4) according to the promulgated rules, regulations, standards, and best management practices developed by the department.

(C) Any damage to trees, shrubs, and plant material resulting from the escape of gas or water shall be repaired and the cost of the work, including the cost of removal and the replacement of any trees, shall be levied against the owner of the pipe or main causing the damage in accordance with this Section.

(D) The Director shall establish a per tree inch replacement rate for payment into the Tree Fund. The rate will be revised periodically and will be based on factors including the cost for the department to plant a tree. The Director reserves the right to alternatively require payment into the Tree Fund based on a tree appraisal method.

(E) It is the duty of the Director to require and see that the provisions of this section are strictly, promptly, and fully enforced.

### **912.07 Approved and Prohibited Tree Species.**

The department shall establish and maintain the following:

(A) A list of tree species that are approved for planting along public streets, in parks, and public places. Other species may be permitted with written approval of the Director.

(B) A list of prohibited tree species that shall not be planted along public streets, in parks, and public places unless written approval is granted by the Director.

### **912.08 Private Nuisance Trees.**

It shall be unlawful for any property owner to permit to stand on the owner's property any tree, shrub, or plant material that has been deemed a public nuisance without promptly abating the nuisance. A tree, shrub, or plant material may be deemed a public nuisance when the Director finds any one of the following conditions to exist:

(A) any portion interferes or has the potential to interfere with any public street, park, or public place.

(B) any portion restricts the flow of pedestrian or vehicular traffic or visibility of any public street, park, or public place.

(C) any portion obstructs the view of any streetlight, traffic control device, traffic control signal, or public street intersection.

(D) it is sufficiently damaged, diseased, disfigured, or constitutes a risk to the public or to other trees, shrubs, and plant material on public property.

### **912.09 Notice of Violations – Private Nuisance Trees.**

(A) Notice of violation. If it is determined by the Director that a nuisance condition as described in Section 912.08 exists, then the Director may give notice of a violation to the owner or occupant of the private property. Such notice shall:

(1) Be in writing.

(2) Include a reference to the Section of Code that has been violated.

(3) Inform the owner that the nuisance must be abated, the method of abatement/corrective action, and deadline to complete abatement activity allowing reasonable time for the performance of any act it requires.

(4) Provide notice that the City will perform abatement activities if not conducted by the owner to the satisfaction of the City or by the deadline.

(5) Include a method to appeal.

(6) Be served by any one of the following methods:

(a) Personal service; or

(b) Certified mail; or

(c) Residential service; or

(d) Publication; or

(e) Regular mail service to an address that is reasonably believed to be either a place of residence or a location at which the owner regularly receives mail; or

(f) Posting the notice of violation on or in the property, except that if a structure is vacant, then the notice shall be posted on the structure and one of the above methods of service shall also be used.

(B) Failure to abate after notice. If upon reinspection of the property, the violation has not been corrected (abated), then the Director shall enter upon such private property where the violation exists and take such action that is reasonable and necessary to correct the nuisance.

(C) Charges for abatement correction. The owner or occupant of property upon which labor has been performed for violations of section 912.08 shall pay to the department the actual costs incurred by the department in abating the violation. Prior to submitting the charges to the applicable County Auditor for assessment, notice shall be sent to the Owner of the amount due and opportunity to pay.

(D) Assessment. The department may place an assessment upon the offending property from and after the date of performance of the corrective actions. The assessment shall be perfected in the following manner:



- (1) By the adoption of the recreation and parks commission in a regular or special meeting of an Assessment Resolution which shall give the name of the owner, occupant, or tenant, description of the offending property, and the amount of charges to be assessed; and
- (2) The certification of such Assessment Resolution to the auditor of Franklin or applicable County, Ohio, who by special assessment shall cause the amount to be placed on the tax duplicate for the offending private property subject to collection as an additional or supplemental real property tax; and
- (3) Contemporaneously with certification of the Assessment Resolution to the county auditor, the Director shall send by ordinary mail a written statement of the amount due to each owner, occupant, or tenant of the offending property.

### **912.10 Tree Fund.**

The Director may receive contributions which shall be turned over to the city auditor who shall deposit same with the city treasurer in the “Tree Fund.”

The Department shall have the authority to sell wood or wood products from the maintenance or removal of public trees pursuant to this Chapter. Any funds that are recovered through the sale of wood or wood products from the maintenance or removal of public trees, or funds that are generated through the reimbursement of damages for the injury or destruction of plant material located on public streets, parks, or public places, or funds that are collected for mitigation, shall be deposited into the Tree Fund.

Expenditures from the Tree Fund can be used only for activities associated with the planting of trees and tree care. Expenditures shall be made only upon an approved voucher by the Director and in accordance with Chapter 329 of the Columbus City Codes.

The city auditor shall keep a separate account of all receipts of the Tree Fund. No part of the Tree Fund shall be commingled with any other funds and no unexpended portion of the fund shall at any time lapse into or become part of the general fund of the city. No part of the Tree Fund shall be subject to appropriation by the city council for purposes other than those set forth in this section.

### **912.11 Protection of wires during pruning or removal.**

Whenever the Director determines it necessary to prune or remove any trees or shrubs in a public street, park, or public place, and it is necessary to move or cut off the electricity from any wire designed to carry electric current in order to do so; the Director shall serve notice on the owner of such wire of the need to protect such wire and such owner shall comply with such order within twenty-four (24) hours after the service of such notice.

### **912.12 Columbus tree subcommission.**

(A). Composition. There is created an advisory subcommission to the recreation and parks commission to be known and designated as the Columbus tree subcommission, composed of nine (9) members. Seven (7) of said members shall be appointed by the mayor with the approval of Columbus city council. The eighth member shall be the Director and the ninth member shall be the city forester of the recreation and parks department, both of whom shall serve as ex-officio members.

(B) Terms and Compensation. Members shall be appointed by the mayor to serve without compensation, for a term of five (5) years and until their successors are appointed and qualified. When a vacancy occurs before the expiration of the appointed term, the mayor shall appoint a member to serve for the unexpired term.

(C) The organization of the Columbus tree subcommission shall be as follows:

- (1) The subcommission shall elect from its membership at its first meeting of each calendar year a chairperson and vice chairperson. An employee of the recreation and park department shall serve as secretary. All necessary secretarial supplies shall be supplied by the department.

- (2) The subcommission shall meet bi-monthly at such time and place as it decides. The subcommission

shall meet at special meetings as called by the chairperson, provided twenty-four hours written notice is given to each member.

(D) The Columbus tree subcommission may adopt by-laws, rules, and regulations that are not inconsistent with the provisions of the Columbus City Codes. A copy of the by-laws and rules shall be filed with the City Clerk.

(E) The duties of the Columbus tree subcommission shall be as follows:

(1) To study the problems and determine the needs of the city of Columbus in connection with its tree planting program.

(2) To recommend to the recreation and parks commission the type and kinds of trees to be planted in parks, public places, and along city streets.

(3) To review and recommend to the recreation and Parks Commission urban forestry-related city code and policies.

### **912.13 Appeals**

(A) Right of appeal to a hearing officer.

(1) A notice of violation issued pursuant to section 912.09 may be appealed to a hearing officer by the filing of a notice of appeal with the department within fifteen (15) days of service of the notice of violation.

(2) The denial of a variance request may be appealed to a hearing officer by the filing of a notice of appeal with the department within fifteen (15) days of service of the notice of denial.

(3) Upon the filing of a timely notice of appeal, the hearing officer shall conduct a hearing on the appeal within forty-five (45) days unless a continuance is requested by either party and granted by the hearing officer. At such hearing, the burden shall be on the Director to prove by a preponderance of substantial, reliable, and probative evidence to support the denial of the variance or that the tree, shrub, or plant material identified in the notice of violation is a public nuisance. The hearing officer shall render its decision in writing, including findings of fact and conclusions of law, within five (5) days of the date of the hearing. The decision of the hearing officer may reverse, modify, or affirm the order and action of the Director.

(4) Decisions of the hearing officer issued pursuant to this section may be appealed to the environmental division of the Franklin County Municipal Court pursuant to Ohio Revised Code Chapter 2506.

(B) Nothing in this section shall be construed to prohibit the Director from pursuing the enforcement of any provision of this chapter or the Ohio Revised Code through any other remedy available by law, including but not limited to causing to be filed in the environmental division of the Franklin County Municipal Court a civil complaint for injunctive relief or a criminal misdemeanor complaint.

### **912.99 Penalty.**

Whoever violates any provision of this chapter shall be deemed guilty of a misdemeanor of the third degree. Any such violation shall constitute a separate offense on each day the violation exists.

### 362.013 ALLOCATION OF FUNDS

The funds collected under the provisions of this chapter shall be allocated for the following purposes and in the following order, ~~to wit:~~

- (A) Such part thereof as shall be necessary to defray all costs of collecting the taxes levied by ~~Chapters 364 and~~ Chapter 362, Columbus City Codes, and enforcing the provisions thereof;
- (B) Such part thereof as council may appropriate to the general fund for the purpose of paying the cost of general municipal operations;
- (C) Such part thereof as council may appropriate for the purpose of paying the cost of maintenance of, and the purchase of new equipment, motorized or other;
- (D) Such part thereof as council may appropriate for the purpose of paying the cost of the repair and maintenance of streets;

(E) In any event, for each fiscal year, at least twenty-five (25) percent of all monies collected under Chapters 364 and Chapter 362 shall be deposited in a special fund to be used only for the payment on interest and principal on bonds and notes issued by the city. Interest and principal due on bonds and notes issued in excess of the one (1) percent limitations as authorized by Article XII, Section 2, of the Constitution of the state of Ohio, shall be first paid from said fund before any payment may be made on interest or principal due on other notes or bonds. Provided, further, that monies deposited in the special fund created by the authority of this division may be appropriated to defray the cost of engineering plans and specifications for federal-aid highways. However, at such time as the council of the city of Columbus issues bonds to construct the aforesaid federal-aid highways, the special fund created by this division shall be reimbursed, from said bond issues in an amount equal to that appropriated for said engineering plans and specifications for federal-aid highways. into a subfund of the general fund to be distributed for the following purposes and in the following order:

- (1) For transfer to the city's debt retirement fund, amount(s) sufficient, taking into account the current balance in the debt retirement fund, to provide for the payment of principal and interest due during the current fiscal year on bonds and notes issued by the city and other debt obligations of the city which are to be paid from the debt retirement fund and not from another source of funds, and to provide for the payment of costs of debt issuance. Interest and principal due on bonds and notes issued in excess of the one (1) percent limitations as authorized by Article XII, Section 2, of the Constitution of the state of Ohio, shall be first paid from said debt retirement fund before any payment may be made on interest or principal due on other notes or bonds. Notwithstanding anything in this division 362.013(E) to the contrary and pursuant to authority specifically conferred upon the City Auditor by council through approved debt ordinances, the City Auditor may pay any city arbitrage rebate obligations to the United States Department of the Treasury from the subfund at any time.
- (2) Following the continuing satisfaction of (E)(1), at the request of the Director of the Department of Finance and Management, and by council appropriation, for current fiscal year expenditures and advances, excluding personnel costs.

(3) At the end of each fiscal year, for transfer to the city's debt retirement fund, such unencumbered cash as shall remain in the subfund following transfers or advances, encumbrances, and expenditures made pursuant to divisions (E)(1) and (2) of this section.

(F) The balance of funds deposited into the special fund authorized by former section 362.013(E) prior to January 1, 2024 shall be used solely for the payment of interest and principal on bonds and notes issued by the city until such funds are exhausted. Interest and principal due on bonds and notes issued in excess of the one (1) percent limitations as authorized by Article XII, Section 2, of the Constitution of the state of Ohio, shall be first paid from said special fund before any payment may be made on interest or principal due on other notes or bonds.

## Brewery District Commission Code Changes

### 3117.005 - Purpose.

The purpose of this chapter and the commission established herein is to identify structures, groups, districts and sites of historic and architectural significance and to provide a method of regulation through design review to:

- (A) Promote the importance of historic preservation throughout the city;
- (B) Identify and list the diverse historic resources of the city;
- (C) Preserve, stabilize and improve neighborhoods, business districts and property for the enjoyment of all the people of the city;
- (D) Foster civic pride in the beauty and accomplishments of the past;
- (E) Strengthen the city's economy through the creation of new jobs;
- (F) Protect the unique historical and architectural character of listed properties; and
- (G) Increase the city's tax base through reinvestment in older buildings.

Preservation of the city's heritage is a valuable goal for the city, creating new jobs and living spaces through the preservation of historic properties, groups, districts and sites and redevelopment of their buildings. Preservation and redevelopment have created and will continue to create exciting residential, office, retail and tourist districts in the city benefiting property owners, residents and visitors in particular, and all citizens in general economically and aesthetically. Regulation is critical to the preservation and redevelopment process and the protection of the beauty and identity of the city.

This chapter shall conform to and apply provisions of Chapters 3116, ~~and~~ 3118, and 3119, C.C.

### 3117.02 - Establishment of commission.

The historic resources commission is hereby established, consisting of ~~seven (7)~~ nine (9) members. All members shall be appointed by the mayor and serve without compensation. Council recommends that appointments to the historic resources

commission be made from professions and individuals, such as, but not limited to, two (2) architects; one (1) representative of the Columbus Landmarks Foundation. Recommended membership may include, but shall not be limited to, architects, contractors, carpenters, engineers, archaeologists, architectural or public historians, developers, business owners, lawyers, or bankers. One (1) member shall reside in a property located in one (1) of the designated historic districts or an individually listed property. To the greatest extent possible members should, at a minimum, either own, rent, or have a business in a property listed on the Columbus Register of Historic Properties or in a designated historic district. ~~Initially two (2) members will be appointed to serve for a term of one (1) year, two (2) members will be appointed to serve for a term of two (2) years, and three (3) members will be appointed to serve for a term of three (3) years.~~ All subsequent terms shall be for a period of three (3) years. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made.

### **3117.03 - Organization.**

Within thirty (30) days after the appointment of all members by the mayor, the commission shall meet and organize by the election of a chairperson and vice-chairperson. The commission shall adopt rules of procedure which shall be published in the city bulletin and provide for regular and special meetings. ~~Four (4)~~ Five (5) members shall be required for official action and constitute a quorum. The commission shall take official action only by a vote of a majority of the members voting on the question on the table, during a public meeting at which there is a quorum. A quorum exists when a majority of the members appointed to and serving on the commission are physically present at the meeting. All commission meetings shall be open to the public. A record of proceedings shall be maintained and available for inspection.

Notices of all commission meetings shall be published in the City Bulletin.

### **3117.04 - Duties.**

The duties of the historic resources commission shall be as follows:

- A. To conduct a survey of all properties which may be eligible for designation as listed properties and make recommendation to council for the designation of appropriate properties as listed properties.

B. To maintain the Columbus Register of Historic Properties which will contain the following information about each listed property:

1. The roster number of the listed property;
2. The description of the parcel of real estate on which the listed property is located as such description appears on the tax duplicate;
3. The street address or other applicable reference to the recognized location of the listed property;
4. A site plan of the real estate on which the listed property is located showing the location thereon of the listed property;
5. A minimum of two photographs of the listed property;
6. A statement of the historical and/or architectural significance of the listed property; and
7. The owner's name, address and telephone number.

C. To nominate, in a manner consistent with federal and state regulations, property for designation as listed property with approval of council and review nominations to the National Register of Historic Places and make recommendations to the mayor and city council concerning such nominations.

D. To advise the mayor and make recommendations as to the conservation of the city's structures, sites, groups and districts or as to any alteration, rehabilitation or demolition proposed for a city-owned property, park or right-of-way listed in the Columbus Register of Historic Properties.

E. To preserve and protect historical structures, groups, districts and sites of the city.

F. To study the problems and determine the needs of the city in furthering the purpose of preservation.

G. To determine what legislation or policy, if any, is necessary to further preservation, restoration and development of historical resources and to recommend the same to the mayor or council, whichever is appropriate.

H. To prepare, adopt and publish guidelines consistent with the standards for listed properties pursuant to Chapter 3116, C.C.

I. To consider proposed construction, reconstruction, alteration, or demolition of structures or architectural features of listed properties pursuant to regulations and standards of Chapters 3116, ~~and 3117,~~ and 3119 C.C., and pertinent guidelines, and issue certificates therefor, if determined to be appropriate. The historic resources commission shall have jurisdiction over the Brewery District per Section 3119.09.

J. To work with the safe neighborhood review board to find alternatives to the demolition of any historic property within the commission's jurisdiction which is declared to be a nuisance.

K. To receive for review, comment and recommendation from the department copies of applications and notices of all public hearings related to rezonings, special permits, variances, demolitions and zoning appeals regarding property located wholly or partially within a listed property.

L. To provide for regular and special meetings to accomplish the purposes of paragraphs A. through K. herein.

**~~3119.09 – Brewery District commission – Creation, members and terms.~~**

~~The Brewery District commission is hereby established, consisting of seven (7) members appointed by the mayor and serving without compensation. Council recommends that appointments to the Brewery District commission be made from professionals and individuals such as, but not limited to, two (2) architects; one (1) representative of the Brewery Districts merchant's association and one (1) Brewery District resident. Recommended membership may include, but shall not be limited to, architects, landscape architects, contractors, carpenters, engineers, archaeologists or public historians, developers, business owners, lawyers, or bankers. To the greatest extent possible members should at a minimum either own, rent, or have a business in the historic district.~~



~~Initially, two (2) members shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; and three (3) members shall be appointed for a term of three (3) years. All subsequent terms shall be for a period of three (3) years. A vacancy caused by death, resignation, or otherwise, shall be filled for the unexpired term in the same manner as the original appointment was made.~~

### **3119.09 - Brewery District—Historic Resources Commission Jurisdiction.**

The historic resources commission, established and organized per Chapter 3117, shall have jurisdiction over the Brewery District.

### **3119.21 - Brewery District—Typical architectural characteristics.**

The Brewery District was first established in the early 1800s by German immigrants. It has since evolved into a diverse collection of historic houses, warehouses, and industrial structures, including the largest collection of late 19th century industrial buildings in Columbus. Portions of High Street are also contained within the Brewery District. Along this street there is a variety of historic commercial buildings of Italianate influence, as well as Italianate and One and one-half (1-½) -story cottage residences converted to office and commercial use. Pedestrian linkages across High Street and between High and Front Streets will greatly affect the future viability of the Brewery District. The diversity in architectural styles reflects the variety of land uses historically, and presently, found in the district. As a result of this diversity, the architectural characteristics have been organized into three separate tiers and one development district as follows:

A. Northern Tier. The architectural style of the Northern Tier is primarily late 19th century, warehouses and manufacturing buildings of brick-bearing construction. The building mass is large and generally three (3) to five (5) stories in height. Window treatments are generally double or triple hung with plain stone lintels accompanied by plain lug or slip sills. Other characteristic window treatments include flat or segmental arches. Flat roofs predominate. Brick sidewalks and period lighting are present throughout recent rehabilitation efforts have emphasized the historic features of existing architecture, in creating a pedestrian-oriented, mixed-use district.

B. Transitional Tier. This tier has a mixture of historic and new buildings and provides a transition from the dense "urban commercial" character of the Northern Tier to the open "urban residential" character of the Southern Tier. This tier is in a fragile state as a number of structures have undergone demolition and existing structures are subject to development pressures. Pedestrian-oriented redevelopment that is sensitive to the remaining historic structures will be critical.

C. Southern Tier. The architecture in the Southern Tier reflects the character and scale of neighboring German Village. Excellent examples of Gabled Ell, Italianate, and One and one-half (1-½) -story cottage residences are present. Facade composition ranges from the vernacular to more ornate, high-style elements. Brick bearing wall construction dominates the district, with a smattering of frame constructed structures.

The Gabled Ell style is generally a two (2) -story structure with a cross-gabled roof and chimney placement along the ridge line. Windows are typically double-hung and porches are commonly found along the long wing or the rear elevation. Additional treatments include attic vents, decorative shingles, and multiple wall treatments.

The Italianate style architecture in the district is characterized by two (2) -story structures with simple hipped roofs. Walls are typically smooth, with the exception of rusticated quoin details. Other typical architectural details include carved-stone lintels, hoodmoulds, decorative porches, bracketed cornices, and arched windows.

The One and one-half (1-½) -story cottages in the district are generally simple in composition with gabled roofs and double-hung windows with cut stone lintels and sills.

D. Whittier Peninsula. The Whittier Peninsula lies at the western edge of the Brewery District bordering the Scioto River. It is the largest, single, planning subarea and is largely a development district area. A comprehensive, coordinated, redevelopment of the Whittier Peninsula, will be necessary for public and private interests to create an area with a unique mix of natural open space, recreational facilities, downtown housing, neighborhood-supported commercial uses, and adequate, well-planned circulation.

E. Conformance and Compatibility Standards. All construction, reconstruction, alteration or demolition shall be in conformance to and compatible with the above characteristics; the regulations and standards contained in Chapters 3116; the Brewery District Plan as adopted and as may be amended from time to time; the Guidelines for the Brewery District ~~to be~~ previously adopted by the Brewery District Commission, and the Columbus Register of Historic Properties Architectural Guidelines, approved by council and published pursuant to C.C. 3116.03; and such other standards as may be adopted by the ~~commission~~ Historic Resources Commission from time to time in conformity with C.C. 121.05.

#### 4565.01 Purpose.

The purpose of this chapter is to establish policies, procedures, and conditions for the provision of certain Community Reinvestment Area (CRA) tax incentives to foster investment in, and the development of, affordable housing in mixed-use, mixed-income neighborhoods throughout the City; and to encourage investment in market-rate and affordable housing in areas and neighborhoods throughout the City that show varying levels of distress.

#### 4565.02 Definitions.

- (A) *Affordable Housing Unit*: includes the following:
1. *Rentals*: housing consisting of an appropriate number of bedrooms based on the household size, as determined by city code, rented to tenants whose annual household income is at or below sixty percent (60%) of area median income (AMI) as defined below; at or below eighty percent (80%) of AMI; or at or below one hundred percent (100%) of AMI; ~~or at or below one hundred and twenty percent (120%) of AMI~~, and for which the annual rent charged complies with affordable rents at 60%, 80%, and 100% ~~and 120%~~ AMI as defined by the U.S. Department of Housing and Urban Development (HUD).
  2. *Owner-occupied*: housing occupied by the legal owner or owners of the housing unit, whose annual household income is ~~at or below sixty percent (60%) of AMI as defined below; at or below eighty percent (80%) of AMI; or at or below one hundred percent (100%) of AMI; or at or below one hundred and twenty percent (120%) of AMI~~; and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income.
- (B) *Area Median Income (AMI)*: the area median income, as calculated annually by HUD for various household sizes within the Columbus, Ohio Metropolitan Statistical Area.
- (C) *Area Designation*: one of three designations that the Director may assign to a post-1994 CRA or census tract pursuant to the terms and requirements of this Chapter, identified as a Market Ready Area, Ready for Revitalization Area, and Ready for Opportunity Area.
- (D) *Bedroom*: a room complying with the sleeping area requirements in Section 4541.01 and the location requirements of Section 4541.05 of the Columbus Housing Code, and for which no fewer than eighteen (18) cubic feet of clothes closet space has been provided in accordance with Section 4541.06 of the Columbus Housing Code.
- (E) *Cost of Ownership*: the cost of owning a housing unit, as determined by rules adopted by the Director taking into consideration the following:

1. principal, interest, private mortgage insurance, and amortization of a loan to finance purchase of the property;
2. property taxes and assessments;
3. fire and casualty insurance covering replacement value of the property improvements;
4. non-optional homeowner or condominium association fees;
5. space rent, if the housing unit is situated upon rented land.

(F) *Development Project*: the new construction or remodel of housing units, whether single-family (one to three housing units), or multifamily (four or more housing units) structures. A single Development Project may consist of varying housing units within a single structure, or housing units contained in different structures. A single Development Project within a CRA may consist of multiple single-family structures as determined by the Director, with such determination criteria including but not limited to proximity to the site, common plan of financing, and common ownership. For a Development Project consisting of housing units in different structures, each structure or dwelling unit must independently satisfy the minimum investment requirements set forth in Chapter 3735.67 of the Ohio Revised Code.

(G) *Development Director, or Director*: the Director of the Department of Development, or the designee thereof.

(H) *Distress Criteria*: the factors by which post-1994 CRAs are categorized as a Market Ready Area, a Ready for Revitalization Area or a Ready for Opportunity Area. Each of the following is a criterion included within "Distress Criteria:"

1. *Population Growth*: the percentage change of population for an area over a five-year time period, as measured by the United States Census Bureau in the most recent decennial census or in annual estimates by the United States Census Bureau. An area meets this distress criterion if the population growth rate is below the population growth rate for the City of Columbus.
2. *Median Household Income Growth*: the percentage change in median household income for an area over five (5) years, as measured by the United States Census Bureau in the most recent decennial census or in annual estimates by the United States Census Bureau. An area meets this distress criterion if the median household income growth rate is below the median household income growth rate for the City of Columbus.
3. *Poverty Rate*: the percentage of the population in an area living at or below the federally established poverty level, adjusted for family size. An area meets this distress criterion if the poverty rate is above the poverty rate for the City of Columbus.
4. *Growth in Median Rent*: the percentage change in median monthly price per square foot of residential rental property for an area, as measured using an index or indices selected by the Development Director from real estate or housing industry sources. An area meets this distress criterion if the growth in median rent rate is above the growth in median rent rate for the City of Columbus.
5. *Housing Vacancy Rate*: the percentage of unoccupied housing units in an area, as measured using an index or indices selected by the Development Director from real estate or housing industry sources. An area meets this distress criterion if the housing vacancy rate is above the housing vacancy rate for the City of Columbus.
6. *Tax Delinquency Rate*: the percentage of tax delinquent homes in an area. An area meets this distress criterion if the percentage of tax delinquent properties in an area is above the percentage of tax delinquent homes for the City of Columbus.

(I) Easton Square Place: a post-1994 CRA created by Ordinance 110X-2007 on July 16, 2007, as amended by Ordinance 0709-2014 on March 31, 2014 and by Ordinance 0496-2017 on March 13, 2017;

(J) *Environmental Remediation Expense*: Pertains to the removal or reduction of pollution or contaminants from environmental media such as soil, groundwater, sediment, or surface water to protect people and the environment against the potential harmful effects from exposure, based on assessments of human health and ecological risks, to various radiation sources.

(K) *First Owner*: the first person or entity that acquires ownership of a residential unit pursuant to the affordability requirements contained in this Chapter.

(L) *Gross Annual Income*: annual income as defined by 24 C.F.R. §5.609 and documented at the time of initial occupancy of a unit as required by rules established by the Director.

(M) *Household*: all individuals residing in a housing unit.

(N) *Household Income*: the gross annual income of all individuals residing in a housing unit who have reached the age of eighteen (18) years old and are not enrolled as full-time students. An individual who has reached the age of eighteen (18) years old, and is enrolled as a full time student, has the first \$480.00 of the student's income counted in household income.

(O) *Housing Unit*: one or more rooms arranged, intended, and designed and used solely for independent residential occupancy by an individual, group of individuals, or family for living and sleeping purposes. The unit must include cooking, bathing, and toilet facilities within the unit for the use of the unit's occupants. For purposes of this chapter, housing unit does not include emergency shelters or facilities such as nursing homes, convalescent homes, hospitals, residential treatment facilities, correctional facilities, halfway houses, bed and breakfast, or dormitories.

(P) *Market Ready Area*: a post-1994 CRA that is comprised of a census tract, portion of a census tract or portions of census tracts that have a median income in the fourth quartile based on the Median Household Income Criteria, or a post-1994 CRA made up of a census tract or census tracts that have a Median Household Income in the second or third quartiles and that also meets no more than one distress criteria in subsection (H) above.

(Q) *Median Household Income Criteria*: The first criterion applied to determine the ~~a~~Area dDesignation assigned to a post-1994 CRA or census tract, which shall be applied as follows: Using the most recently available data from the American Community Survey, the median income of each census tract ~~in Franklin County, including within the corporate boundary of the City of Columbus~~, shall be ranked from lowest to highest, and those census tracts in the first (lowest) quartile shall be designated Ready for Opportunity and those census tracts in the fourth (highest) quartile shall be Market Ready. For any post-1994 CRA made up of more than one census track, the weighted average median income of the census tracks shall be used.

(R) *Owner-occupied*: a housing unit inhabited as the principal place of residence by the person or persons who holds fee simple absolute title, or a substantially equivalent property interest, as determined by the Director, in a manner that ensures the unit is not rented or used as a primary residence by a person not a member of the household.

- (~~RS~~) *Post-1994 Community Reinvestment Area*: a community reinvestment area (CRA) designated by City Council subsequent to July 21, 1994 and that was issued a CRA designation number by the Ohio Department of Development ~~Services Agency~~.
- (~~ST~~) *Project Sponsor*: an applicant seeking approval to construct a Development Project that contains residential housing within the boundaries of a CRA as provided in this chapter.
- (~~TU~~) *Ready for Opportunity Area*: a post-1994 CRA comprised of a census tract, portion of a census tract or portions of census tracts that have a median household income in the first quartile pursuant to the Median Household Income Criteria per subsection (P) above, or a post-1994 CRA made up of a census tract, portion of a census tract or portions of census tracts that have a Median Household Income in the second or third quartiles and that meets more than four (4) distress criteria in subsection (H) above.
- (~~UV~~) *Ready for Revitalization Area*: a post-1994 CRA that is comprised of a census tract, portion of a census tract or portions of census tracts that have a Median Household Income in the second or third quartile pursuant to the Median Household Income Criteria in subsection (O) above, and that meets at least two (2), but no more than four (4), distress criteria in subsection (H) above.
- (~~VW~~) *Redesignation Date*: July 31, 2022, then July 31, 2025 and every third year thereafter.
- (~~WX~~) *Rent*: the cost of tenancy in a housing unit, including the rental rate stated in the lease, any non-refundable, non-optional fee or surcharge, and an allowance for reasonable utility expenses as defined in 26 CFR 1.42-10, as may be amended from time to time. The Director shall define reasonable utility expenses consistent with that code provision. Pet fees or surcharges shall not be considered "rent" for purposes of this chapter.

#### **4565.03 Area ~~d~~Designation for Post-1994 CRAs.**

- (A) The Director shall have the authority to designate a post-1994 CRA (with the exception of Easton Square Place prior to December 31, 2028) as a Market Ready Area, Ready for Revitalization Area, or Ready for Opportunity Area pursuant to this Chapter. On the Redesignation Date, the Director shall have the authority to change the Area Designation of any post-1994 CRA or census tract consistent with the requirements of this Chapter.
- (B) One year prior to the Redesignation Date, the Director shall begin to assess the Area Designations in post-1994 CRAs and census tracts for purposes of classifying the property as Market Ready, Ready for Opportunity, or Ready for Revitalization. Consistent therewith, the Director shall determine whether each designated post-1994 CRA or census tract will retain its then-current Area Designation or receive a new Area Designation. If the Director determines that any post-1994 CRA or census tract meets the requirement for a new Area Designation, the Director shall assign such new Area Designation to be effective upon the Redesignation Date.

- (C) The Director shall provide a report to Council upon designating, or redesignating, existing post-1994 CRAs as either Market Ready, Ready for Revitalization, or Ready for Opportunity. The report shall include the distress criteria for each area designated by the Director.
- (D) Prior to the creation of a new CRA for housing by City Council, the Director shall designate the area as either Market Ready, Ready for Revitalization, or Ready for Opportunity and shall provide the report as required by this Section prior to Council's vote to establish the CRA.
- (E) Annually, the Director shall provide to City Council with a report, no later than September 30<sup>th</sup> of each calendar year, identifying the real property tax abatements, ~~a~~Area ~~d~~Designations and the type of affordable housing within each Post-1994 CRA or census tract for the prior year.

**4565.04 General requirements for Affordable Housing Units.**

- (A) Wherever Affordable Housing Units are required pursuant to this Chapter, they shall be dispersed throughout the Development Project and shall be comparable to the design and quality of market-rate units within the Development Project in terms of appearance, materials, and finish.
- (B) The distribution of unit sizes across the Affordable Housing Units shall mirror the distribution of unit sizes across the entire Development Project (i.e., if twenty percent of the units within the Development Project are two-bedroom units, then twenty percent of the Affordable Housing Units must be two-bedroom units). For Development Projects with unique mix configurations, and that do not easily lend themselves to the prescribed affordable set-aside percentages, the Director of Development is authorized to negotiate Affordable Housing Unit set asides on a case by case basis, with the understanding that the overall goal of mixed income housing within the Development Project is achieved.
- (C) Throughout the term of the CRA abatement, the Affordable Housing Units provided in a Development Project may be located in different physical units over time (Affordable Housing Units may "float" through the Development Project over time), while at the same time complying with subsections (A) and (B) above. However, the Project Sponsor shall not congregate all or most of the Affordable Housing Units in one building or in one primary area of the Development Project for projects of four (4) or more housing units.
- (D) Affordable Housing Units shall be constructed within a similar timeline as non-Affordable Housing Units within the Development Project.
- (E) Affordable Housing Units shall be provided access to amenities and recreational facilities within the Development Projects on equal terms to market-rate housing units. However, nothing in this section prohibits or dissuades the provision of amenities and recreational facilities to Affordable Housing Unit residents at a lesser rate than that charged to non-Affordable Housing Units.
- (F) Affordable Housing Units shall be rented or sold only to qualified persons whose annual household income does not exceed sixty percent (60%) AMI, eighty percent (80%) AMI, one hundred percent (100%) AMI, or one hundred twenty percent (120%) AMI for the household size for which the housing



unit was designed, as applicable, and for home sales, the Cost of Ownership does not exceed 35% of the household's gross annual income.

- (G) To qualify as an Affordable Housing Unit, the housing unit must be occupied as the principal residence of the occupant or occupants.
- (H) Any fee charged by the Project Sponsor to the prospective tenant or purchaser of an Affordable Housing Unit must be a usual, customary transaction fee normally incurred in a residential transaction. The Director may establish a range of fees that are presumptively usual and customary in such transactions based on industry data in use at the time that the tax abatement is granted.
- (I) The Director is authorized to adopt and implement such rules, standards, and processes as are necessary to administer this chapter and that are consistent with the City's goal of providing Affordable Housing Units within Development Projects that receive a CRA tax exemption.
- (J) Development Projects that are not completed due to a major casualty, condemnation or other force majeure event as determined by the Director of Development, are required to provide a proportional percentage of Affordable Housing Units as measured against the total housing units constructed (i.e., if the Development Project was supposed to construct 4 apartment buildings with 40 units each, and 40 units were required to be Affordable Housing Units, and if the Developer constructed 2 apartment buildings, then each of the 2 buildings constructed must have 10 Affordable Housing Units).

#### **4565.05 Additional requirements for Owner Occupied Affordable Housing Units.**

- (A) To be eligible for a CRA tax abatement under this chapter, Project Sponsors developing projects that include owner-occupied housing units shall, in addition to the applicable agreement requirements set forth in Sections 4565.07, 4565.08, and 4565.09 of this chapter, be required to enter into an agreement with the City, (which as set forth in Sections 4565.07 and 4565.08 shall ~~may~~ include executing restrictive covenants), as ~~are~~ determined necessary by the Director, in consultation with the City Attorney, to ensure that all owner-occupied Affordable Housing Units remain affordable for the duration of any abatement provided under this chapter.
- (B) *Initial Pricing.* The initial sale price of an owner-occupied Affordable Housing Unit less down payment and/or affordability assistance from a governmental entity or comparable organization, including a lender, must be set at a level that is at or below 120% AMI and the Cost of Ownership shall not exceed 35% of the household's annual gross income.
- (C) *Resale:* For Development Projects of four (4) or more owner-occupied housing units, the Director shall adopt rules to establish the resale price of owner-occupied Affordable Housing Units subject to this chapter. Such rules shall consider the purposes of this chapter to encourage the construction of affordable

housing throughout the City while enabling owner-occupant sellers of Affordable Housing Units to realize a reasonable return on the sale of the housing unit, including consideration of improvements made to the housing unit by the owner-occupant. For Development Projects consisting of three (3) or fewer owner-occupied housing units in Market Ready and Ready for Revitalization Areas, the real property tax abatement provided under this chapter shall cease upon transfer of the property or any unit thereon that does not conform with deed restrictions that ensure its continued affordability for the duration of the abatement. If a Project Sponsor paid a fee-in-lieu rather than providing the required number of rental Affordable Housing Units for its Development Project, and all or some of the units on the property were subsequently converted to owner-occupied units during the abatement term, the real property tax abatement shall be revoked unless the new owner-occupant's gross annual income is at or below one hundred and twenty percent (120%) AMI and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income.

- (D) The Project Sponsor shall be responsible for reporting to the Director the number of Affordable Housing Units in the Development Project for the duration of the abatement period, which requirement shall be included as a restrictive covenant running with the land.

#### **4565.06 Availability of incentives.**

- (A) CRA tax incentives for Development Projects containing four (4) or more housing units within post-1994 CRAs designated Market Ready Areas, Ready for Revitalization Areas, or Ready for Opportunity Areas require the Project Sponsor to apply for an abatement and enter into an agreement with the City per the deadlines included in the Director's Rules. A Project Sponsor may request that this time-frame be extended for good cause, subject to approval by the Director. The agreement required herein must include the terms specified in Section 4565.07 for Market Ready Areas, Section 4565.08 for Ready for Revitalization Areas, and 4565.09 for Ready for Opportunity Areas.
- (B) Development Projects shall not be artificially divided to avoid the agreement requirements within this chapter.
- (C) For a Development Project involving the remodeling of a structure containing not more than three (3) owner-occupied housing units, and that otherwise qualifies for real property tax abatement, the Project Sponsor shall be required to apply for an abatement and enter into an agreement with the City per the deadlines included in the Director's Rules and if the remodeled structure for homeownership is located in a Market Ready or Ready for Revitalization Area, all remodeled units within the Development Project must be Affordable Housing Units affordable to owners with household incomes that are at or below one hundred twenty percent (120%) AMI and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income to be eligible for the tax abatement. Payment of a fee is not available in lieu of meeting this affordability requirement for owner-occupants in three or fewer units that have been remodeled.  
If the remodeled structure containing not more than three (3) housing units for rental is located in a Market Ready or Ready for Revitalization Area, at least one (1) remodeled unit within the Development Project must be an Affordable Housing Unit for rent to occupants with household incomes that are at or below sixty percent (60%) AMI to be eligible for the tax abatement.

- (D) For a Development Project involving the construction of new structure(s) resulting in not more than three (3) owner-occupied housing units, and that otherwise qualifies for real property tax abatement, the Project Sponsor shall be required to apply for an abatement and enter into an agreement with the City per the deadlines included in the Director's Rules and if the new structure(s) will be located in a Market Ready Area or Ready for Revitalization Area, all owner-occupied housing units within the Development Project must be Affordable Housing Units, as defined in this chapter, for occupants whose annual household income is at or below one hundred twenty percent (120%) AMI and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income to be eligible for the tax abatement. Payment of a fee is not available in lieu of meeting the Affordable Housing Unit requirement for Development Projects consisting of three or fewer owner-occupied housing units.

If the new structure contains three or fewer rental housing units and is located in a Market Ready or Ready for Revitalization Area, at least one (1) new units for rent within the Development Project must be affordable to occupants with household incomes that are at or below sixty percent (60%) AMI to be eligible for the tax abatement.

- (E) For a Development Project within ~~post-1994 CRAs designated as~~ Ready for Opportunity Areas that include three or fewer housing units (whether rented or owner-occupied) shall receive an abatement of property taxes on one hundred percent (100%) of the increase in the assessed valuation of the structure(s) for a period of fifteen (15) years. These Development Projects in Ready for Opportunity Areas do not require the Project Sponsor to enter into an agreement with the City, however, the Project Sponsor must apply for the abatement per the timeframe in the Director's Rules.
- (F) The statement of required terms in Sections 4565.05, 4565.07, 4565.08, and 4565.09 shall not be construed to limit the authority of the Director to prescribe additional agreement terms by rule, subject to approval as to form by the City Attorney, provided such rules are consistent with the intent of this Chapter to incentivize the construction of Affordable Housing Units in CRAs in consideration of receiving a tax abatement.

#### **4565.07 Required terms for incentive agreements in Market Ready Areas.**

~~This section includes~~ The stated terms and conditions applicable to required in agreements required for Market Ready Areas per division (A) of Section 4565.06 of this Chapter. ~~They~~ are not self-executing terms for purposes of receiving an abatement.

- (A) A Project Sponsor of a Development Project containing four (4) or more housing units in a Market Ready Area must elect one of the requirements specified below (whether rented or owner-occupied, as applicable) in order to be eligible for a one hundred (100%) percent abatement of the increase in assessed value of the structure for a period of fifteen (15) years from the first year the Development Project would be first taxable as described in ORC Section 3735.67(D) and 3735.67(F). ~~date of the issuance of a certificate of occupancy (or an earlier date, if elected by the Project Sponsor with the City's consent, subject to the approval of the Franklin County Auditor of such earlier date):~~
- a. For the duration of the incentive, a minimum of ten percent (10%) of the housing units in the Development Project are Affordable Housing Units rented to occupants with a household income at or below sixty percent (60%) AMI, and an additional ten percent (10%) or more of the housing units in the development are Affordable Housing Units rented to occupants with household incomes at or below eighty percent (80%) AMI.
  - b. For the duration of the incentive, a minimum of thirty percent (30%) of the housing units in the Development Project are Affordable Housing Units rented to occupants with

a household income at or below eighty percent (80%) AMI.

- c. For the duration of the incentive, all housing units in the Development Project are Affordable Housing Units sold to occupants with a household income at or below one hundred and twenty percent (120%) AMI and for which the annual Cost of Ownership does not exceed thirty-five percent (35%) of the household's gross annual income.

(B) The Project Sponsor may receive credit equal to one (1) Affordable Housing Unit for each of the following, with (a), (b) and (c) applicable to owner-occupied or rental units, and with (d) applicable to rental units only:

- a. For every one million dollars (\$1,000,000.00) of environmental remediation expenses associated with the Development Project;
- b. For every twenty-five thousand (25,000) square feet of Class A office space constructed as part of an affiliated commercial development, or remodel within the same structure, as where the Affordable Housing Unit(s) would otherwise be required. The Director may establish rules defining what is an affiliated commercial development or remodel, taking into consideration their usual and customary business definitions.
- c. If the project is to remodel of a property listed on the Columbus Register of Historic Properties, then the Affordable Housing Unit requirements shall not apply and no agreement under Section 4565.06 shall be required.
- d. For rental projects, the Project Sponsor may make a one-time payment to the City of Columbus, Department of Development in lieu of providing Affordable Housing Units; the one-time fee-in-lieu payment shall be computed starting with a base amount of \$32,000 per required Affordable Housing Unit increased by the product of the base amount multiplied by the percentage increase in the Consumer Price Index (CPI), as calculated every August 1 with the first multiplier being the change in the CPI from August 1, 2022 to August 1, 2023, increased further by five percentage points. This calculation will constitute the new base amount for the succeeding year and will be adjusted annually based on the change in the CPI plus five percentage points thereafter. Project Sponsors may opt to include some amount of Affordable Housing Units in a Development Project and provide fee-in-lieu for the remaining number of required Affordable Housing Units. If a Project Sponsor opts to provide fee-in-lieu for ~~buy-out~~ all of the required rental Affordable Housing Units in a Development Project, the Project Sponsor is required to make a fee-in-lieu payment equal to 20% of the total number of units in the Development Project.

(C) Default on Affordable Housing Unit Requirement.

1. If the required number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI or eighty percent (80%) AMI, as applicable, falls below the

minimum requirements prescribed by division (A) of this Section, for a period of ninety (90) days or less, the Project Sponsor or owner as applicable must provide written notice of the shortfall to the Director within ten (10) business days of such shortfall.

2. If the required number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI or eighty percent (80%) AMI, as applicable, which remains below the minimum requirements prescribed in division (A) of this Section, for a period of more than ninety (90) but less than one hundred eighty (180) days, the Project Sponsor shall be responsible for making payment to the City of Columbus, Department of Development in an amount determined by reference to the following table:

Affordable Housing Shortfall (by % below required number of units)	Required Payment (by % of annual real property tax abated)
Up to 25%	20%
>25% up to 50%	40%
>50% up to 75%	65%
>75%	90%

If the payment required by this subsection is less than what the fee-in-lieu would be under division 4565.07(B)(d) of this section for the Affordable Housing Unit shortfall, the Project Sponsor shall pay the fee-in-lieu amount to the City rather than the amount provided by this subsection.

3. If the number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI, or at or below eighty percent (80%) AMI, as applicable, and remains below fifty percent (50%) of the number of Affordable Housing Units prescribed in division (A) of this Section, for a period of two consecutive years, the Director shall have cause to take such action as necessary to cause the abatement to cease and return the property to fully taxable status. In the alternative, the Project Sponsor and the City may execute an addendum to the agreement by which the Project Sponsor agrees to pay a fee for the Affordable Housing Unit shortfall for the remaining duration of the abatement, which amount shall be the fee amount as described in Section 4565.07(B)(d) for each unit that is required to be an Affordable Unit, divided by 15, multiplied by the number of years remaining in the abatement period.

4. The remedies provided for default herein are not intended, and shall not be so construed, to limit the City's ability to avail itself of other remedies at law or in equity for breach of the agreement.

**4565.08 Required terms for incentive agreements in Ready for Revitalization Areas.**

The stated terms and conditions applicable to agreements required for Ready for Revitalization Areas by division (A) of Section 4565.06 are not self-executing terms for receipt of an abatement.

(A) A Project Sponsor of a Development Projects containing four (4) or more housing units in a Ready for Revitalization Area must elect one of the requirements specified below in order to be eligible for a one hundred (100%) percent abatement of the increase in assessed value of the structure for a period of fifteen (15) years from the first year the Development Project would be first taxable as described in ORC Section 3735.67(D) and 3735.67(F). ~~date of the issuance of a certificate of occupancy (or an earlier date, if elected by the Project Sponsor with the City's consent, subject to the approval of the Franklin County Auditor of such earlier date.~~ Subsections (a) and (b) apply to rental units and subsection (c) applies to owner-occupied units:

a) For the duration of the incentive, a minimum ten percent (10%) of the housing units in the

Development Project are Affordable Housing Units rented ~~or sold~~ to occupants with household income at or below sixty percent (60%) AMI, and an additional ten percent (10%) or more of the housing units in the development are affordable housing units rented to occupants with household income at or below eighty percent (80%) AMI.

- b) For the duration of the incentive, a minimum thirty percent (30%) of the housing units in the Development Project are Affordable Housing Units rented to occupants with household income at or below eighty percent (80%) AMI.
- c) For the duration of the incentive, all housing units in the Development Project are Affordable Housing Units sold to occupants with household incomes at or below one hundred and twenty percent (120%) AMI and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income.

(B) The Project Sponsor may receive credit equal to one (1) Affordable Housing Unit for each of the following, with (a), (b) and (c) applicable to owner-occupied or rental units, and with (d) applicable to rental units only:

- a. For every one million dollars (\$1,000,000.00) of environmental remediation expenses required to construct the Development Project;
- b. For every twenty-five thousand (25,000) square feet of Class A office space constructed as part of an affiliated commercial development or remodel within the area. The Director may establish rules defining what is an affiliated commercial development or remodel, taking into consideration their usual and customary business definitions.
- c. If the Development Project is a renovation of a property listed on the Columbus Register of Historic Properties, then the Affordable Housing Unit requirements shall not apply and no agreement under Section 4565.06 shall be required.
- d. The Project Sponsor may make a one-time payment to the City of Columbus, Department of Development in lieu of providing rental Affordable Housing Units; the one-time fee-in-lieu payment shall be computed starting with a base amount of \$16,000 per required Affordable Housing Unit increased by the product of the base amount multiplied by the percentage increase in the Consumer Price Index (CPI), as calculated every August 1 with the first multiplier being the change in the CPI from August 1, 2022 to August 1, 2023, increased further by five percentage points. This calculation will constitute the new base amount for the succeeding year and will be adjusted annually based on the change in the CPI plus five percentage points thereafter. Project Sponsors may opt to include some amount of Affordable Housing Units in a Development Project and provide fee-in-lieu payments for the remaining number of required Affordable Housing Units. If a Project Sponsor opts to provide fee-in-lieu payments for all of the required Affordable Housing Units in a Development Project, the Project Sponsor is required to make a fee-in-lieu payment equal to 20% of the total number of units in the Development Project.

(C) Development Projects providing the Affordable Housing Units required under division (A) of this section, or those receiving credits or paying a fee-in-lieu instead of providing Affordable Housing Units required under division (A) of this section, shall be eligible for a real property tax abatement of one hundred percent (100%), of the assessed value of the structure(s) constructed, for a period of fifteen (15) years from the first year the Development Project would be first taxable as described in ORC Section 3735.67(D) and 3735.67(F) date of the of a certificate of occupancy (or an earlier date,

if elected by the Project Sponsor with the City's consent), and subject to the approval of the Franklin County Auditor of such earlier date.

(D) Default on Affordable Housing Unit Requirement.

1. If the number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI or is at or below eighty percent (80%) AMI, as applicable, which falls below the proportions prescribed by division (A) for a period of ninety (90) days or more but less than 180 days, the Project Sponsor or Owner, as applicable, must provide written notice of the shortfall to the Director within ten (10) business days.
2. If the number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI or is at or below eighty percent (80%) AMI, as applicable, which remains below that prescribed in division (A) of this Section for a period of one hundred eighty (180) days but less than two years, the Project Sponsor shall be responsible for making payment to the City of Columbus, Department of Development in an amount determined by the following table:

Affordable Housing Shortfall (by % below required number of units)	Required Payment (by % of annual real property tax abated)
Up to 25%	20%
>25% up to 50%	40%
>50% up to 75%	65%
>75%	90%

If the payment required by this subsection is less than the fee-in-lieu amount would be under division Section 4565.08(B)(d) of this section for the Affordable Housing Unit shortfall, the Project Sponsor shall pay the fee-in-lieu amount to the City rather than the amount provided by this subsection.

3. If the number of Affordable Housing Units rented by persons whose household income is at or below sixty percent (60%) AMI or is at or below eighty percent (80%) AMI, as applicable, which remains below fifty percent (50%) of that prescribed in division (A) of this Section for a period of two years or more, the Director shall have cause to take such action as necessary to cause the abatement to terminate and return the property to full taxable status. In the alternative, the Project Sponsor and the City may execute an addendum to the agreement by which the Project Sponsor agrees to pay a fee-in-lieu amount for the Affordable Housing Unit shortfall for the remaining duration of the abatement. The fee-in-lieu amount shall be as described in Section 4565.07(B)(d) for each unit that is required to be an Affordable Unit, divided by 15, multiplied by the number of years remaining in the abatement period.

4. The remedies provided for default herein are not intended, and shall not be so construed, to limit the City's ability to avail itself of other remedies at law or in equity for breach of the agreement.

**4565.09 Required terms for incentive agreements in Ready for Opportunity Areas**

The stated terms and conditions applicable to agreements required for Ready for Opportunity Areas by division (A) of Section 4565.06 are not self-executing terms for receipt of an abatement.

- (A) A Project Sponsor of a Development Projects containing four (4) or more rental housing units in a Ready for Opportunity Area shall be eligible for one of the incentives below:
- a) One hundred percent (100%) of the increase in assessed value of the structure for a period of fifteen (15) years if, for the duration of the incentive, a minimum ten percent (10%) of the housing units in the Development Project are Affordable Housing Units rented to occupants with household income at or below eighty percent (80%) AMI, and an additional ten percent (10%) or more of the housing units in the development are Affordable Housing Units rented to occupants with household income at or below one hundred percent (100%) AMI.
- (B) The Project Sponsor may receive credit equal to one (1) Affordable Housing Unit rental for each of the following:
- a) For every one million dollars (\$1,000,000.00) of environmental remediation expenses required to construct the Development Project;
  - b) For every twenty-five thousand (25,000) square feet of Class A office space constructed as part of an affiliated commercial development or remodel within the area. The Director may establish rules defining what is an affiliated commercial development or remodel, taking into consideration their usual and customary business definitions.
  - c) If the Development Project is a renovation of a property listed on the Columbus Register of Historic Properties, then the Affordable Housing Unit requirements shall not apply and no agreement under Section 4565.06 shall be required.
  - d) The Project Sponsor may make a one-time payment to the City of Columbus, Department of Development, in lieu of providing Affordable Housing Units; the one-time fee-in-lieu payment shall be computed starting with a base amount of \$5,000 per required Affordable Housing Unit multiplied by the percentage increase in the Consumer Price Index (CPI), as calculated every August 1 with the first multiplier being the change in the CPI from August 1, 2022 to August 1, 2023, increased further by five percentage points. This calculation will constitute the new base amount for the succeeding year and will be adjusted annually based on the CPI plus five percentage points thereafter. Project Sponsors may opt to include some amount of Affordable Housing Units in a Development Project and buy-out the remaining number of required Affordable Housing Units. If a Project Sponsor opts to provide a fee-in-lieu for all of the required Affordable Housing Units in a Development Project, the Project Sponsor is required to make a fee-in-lieu payment equal to 20% of the total number of units in the Development Project.



(C) Development Projects providing the Affordable Housing Units required under division (A) of this section, or those receiving credits or paying a fee-in-lieu of providing Affordable Housing Units required under division (A) of this section, shall be eligible for a real property tax abatement of one hundred percent (100%), of the assessed value of the structure(s) constructed, for a period of fifteen (15) years from the first year the Development Project would be first taxable as described in ORC Section 3735.67(D) and 3735.67(F), date of the issuance of a certificate of occupancy (or an earlier date, if elected by the Project Sponsor with the City's consent, subject to the approval of the Franklin County Auditor of such earlier date).

(D) Default on Affordable Housing Unit Requirement.

1. If the number of Affordable Housing Units rented by persons whose household income is at or below eighty percent (80%) AMI or is at or below one hundred percent (100%) AMI, as applicable, which falls below the proportions prescribed by division (A) for a period of ninety (90) days or more but less than 180 days, the owner must provide written notice of the shortfall to the Director within ten (10) business days.
2. If the number of Affordable Housing Units rented by persons whose household income is at or below eighty percent (80%) AMI or is at or below one hundred percent (100%) AMI, as applicable, which remains below that prescribed in division (A) of this Section for one hundred eighty (180) or more days but less than two years, the Project Sponsor shall be responsible for making payment to the City of Columbus, in an amount determined by the following table:

Affordable Housing Shortfall (by % below required number of units)	Required Payment (by % of annual real property tax abated)
Up to 25%	20%
>25% up to 50%	40%
>50% up to 75%	65%
>75%	90%

If the payment required by this subsection is less than the what the fee-in-lieu would be under division 4565.09(B)(d) of this section for the Affordable Housing Unit shortfall, the Project Sponsor shall pay the fee-in-lieu amount to the City rather than the amount provided by this subsection.

3. If the number of Affordable Housing Units rented by persons whose household income is at or below eighty percent (80%) AMI or at or below one hundred percent (100%) AMI, as applicable, which remains below fifty percent (50%) of that prescribed in division (A) of this Section for two years or more, the Director shall have cause to take such action as necessary to cause the abatement to terminate and return the property to full taxable status. In the alternative, the Project Sponsor and the City may execute an addendum to the agreement by which the Project Sponsor agrees to pay a fee-in-lieu for the Affordable Housing Unit shortfall for the remaining duration of the abatement. The fee-in-lieu amount shall be as described in Section 4565.09(B)(d) for each unit that is required to be an Affordable Unit, divided by 15, multiplied by the number of years remaining in the abatement period.
4. The remedies provided for default herein are not intended, and shall not be so construed, to limit the City's ability to avail itself of other remedies at law or in equity for breach of the agreement.

**4565.10 Waiver of Affordability Requirements for Owner-Occupied Units**

- (a) **Application for Waiver of Affordability Requirements.** A Project Sponsor may apply for a waiver of the affordability requirements under Section 4565.05(B) regarding the Initial Pricing of owner-occupied Affordable Housing Units as applied to owner occupied units in a Development Project if the following conditions are satisfied:
1. The Development Project must have a minimum of 100 owner-occupied dwelling units; and
  2. The Project Sponsor has committed to at least thirty percent (30%) of the owner-occupied units in the Development Project being Affordable Housing Units, meaning the units are occupied by the legal owner(s) of the unit, and whose annual household income is at or below one hundred and twenty percent (120%) of AMI and for which the annual cost of ownership does not exceed thirty-five percent (35%) of the household's gross annual income.
- (b) **Form of Waiver of Application.** The form of the application for a waiver under this Section shall be established by the Director's Rules.
- (c) **Director Evaluation of Waiver Application.** The Director or their designee shall evaluate each application for waiver under this Section. The Director may, within the Director's reasonable discretion, grant the application for waiver if the Director determines that granting the application for waiver satisfies the overall goals of this Chapter with regard to increasing the number of affordable housing units within the City and is in the best interests of the City. For purposes of this Section, the Director of the Department of Development, or their designee, is considered the housing officer as provided for in ORC Sections 3735.65 through 3735.70.
- (d) **Right of Appeal from Denial of Waiver Application.** If the waiver application of a Project Sponsor is denied, the Project Sponsor may appeal the denial to the CRA Housing Council established pursuant to ORC Section 3736.69.
- (e) **Hearing of Appeal.** The CRA Housing Council shall hear the appeal from a waiver application pursuant to ORC Section 3735.70. The Housing Council may affirm, modify, or reverse the denial after hearing. The Housing Council may impose such requirements and conditions on the Project Sponsor regarding the minimum number of Affordable Housing Units required for the waiver above the minimum requirements set forth in division (a) as it deems necessary to carry out the intent and purpose of this Chapter. The decision of the Housing Council shall be final and appealable pursuant to Chapter 2506 of the Ohio Revised Code.
- (f) **Burden of Proof.** Under this Section, the Project Sponsor bears the burden of demonstrating that a waiver of the affordability requirements for owner-occupied units satisfies the overall goals of this Chapter with regard to increasing the number of affordable housing units within the City and is in the best interests of the City.

# **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 :**

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 President or 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 a provision of Article I, Title 39, is the condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the city, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**LOCAL CREDIT:** In determining the lowest bid for a contract the local bidder credit will not be applied.

**FOR COMPLETE SPECIFICATIONS ON ANY OF THE FOLLOWING BID PROPOSALS PLEASE VISIT**  
[HTTPS://COLUMBUSVENDORSERVICES.POWERAPPSPORTALS.COM/](https://columbusvendorservices.powerappsportals.com/).

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 12/14/2023 1:00:00 PM

RFQ026402 - Roadway - Sullivant Ave - I-70 EB Entrance Ramp

1.1 Scope: The City of Columbus, Department of Public Service is receiving bids until December 14, 2023 at 1:00 PM local time, for construction services for the Roadway - Sullivant Ave - I-70 EB Entrance Ramp project. Bids are to be submitted only at [www.bidexpress.com](http://www.bidexpress.com). Hard copies shall not be accepted. This project consists of improvements to pedestrian safety and mobility along Sullivant Avenue. This project will reconfigure the Sullivant Avenue entrance ramp to eastbound I-70 by eliminating the eastbound slip ramp from Sullivant Avenue and creating an eastbound right-turn lane at the existing intersection of Sullivant Avenue with the ramp from Sullivant Avenue westbound. Curb, sidewalk, street lighting, and other incidentals will be adjusted accordingly, and other such work as may be necessary to complete the contract, as set forth in this Invitation For Bid (IFB). All questions concerning this project are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions will be specified in the IFB; phone calls will not be accepted. Responses will be posted on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) as an addendum. A pre-bid meeting will not be held. Notice of published addenda will be posted on the City's Vendor Services web site and all addenda will be posted on [www.bidexpress.com](http://www.bidexpress.com). 1.2 Classification: All bid documents (Invitation for Bid, technical specifications, plans, and future addenda) will be available for review and download on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) after the IFB is published. Firms must meet the mandatory requirements stated in the IFB for a bid to be considered for contract award. 1.3 Bid Express: If you do not have an account with Bid Express and you would like to review project information or submit a bid, you will need to register for an account. Go to [www.bidexpress.com](http://www.bidexpress.com) in order to sign up. 1.4 City of Columbus MBE/WBE Program: This project is subject to the requirements of the City's MBE/WBE Program. The MBE/WBE goal assigned to this project is 15.0%.

The contract will be awarded to the lowest, responsive, responsible, and best bidder. City certified MBE/WBE firms that submit a proposal may be eligible to receive a bid discount of 5% of the bid amount up to a maximum discount of \$50,000.00. To be eligible for the bid discount, the firm must: • Be the prime contractor. • Be certified by the City's Office of Diversity and Inclusion as an MBE/WBE capable of providing the type of construction services sought by the City at the bid due date. • Be a member of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City construction contracts. (The eligible groups for Construction IFB's are all City certified MBE/WBE firms except Hispanic American Male firms.) • Submit a completed Bid Discount / Proposal Incentive Request Form with the proposal.

BID OPENING DATE - 12/15/2023 1:00:00 PM

RFQ026592 - LINDEN GREEN LINE CLEARING 2024

The City of Columbus is accepting Bids for the Linden Green Line Clearing 2024 which consists of brush clearing, tree pruning, and other such work as may be necessary to complete the contract, in accordance with the scope of services set forth in this Invitation for Bid (IFB). Bids will be received by the City of Columbus, Department of Recreation & Parks, Design & Construction, until January 3, 2024, at 2:00 pm local time. The bid should be emailed to Brad Westall, [brwestall@columbus.gov](mailto:brwestall@columbus.gov) with the subject stating, "Linden Green Line Clearing 2024 - Company Name". The contractor must substantially complete all work by March 31, 2024. Weekend work is permitted. Questions regarding the IFB should be submitted to Brad Westall, via email to [brwestall@columbus.gov](mailto:brwestall@columbus.gov) prior to December 20th, 2023 at 2:00 pm local time.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 12/18/2023 1:00:00 PM

RFQ026562 - Rec and Parks copier service and maintenance

**PURPOSE:** To establish an Indefinite Quantity Agreement for Copy Machine Maintenance and Repair Services on an as needed basis. The estimated dollar amount to be spent on this agreement is up to and not to exceed \$50,000.00. This is an estimate of the annual needs of the City under this Agreement and are for bidding purposes only. This estimate is not to be construed as representing an actual order for that amount, or a guarantee that any minimum amount will actually be purchased. Subsequent to the acceptance of an offer, individual written purchase orders may be issued as needed by the City to purchase items listed herein during the term of the agreement. At no time shall the obligation of the City agency exceed the dollar amount of any associated purchase order. The Agreement will expire on 12/31/2024. Any available funds not obligated by the City by means of a Purchase Order on or prior to that date shall be cancelled after that date. See the attached Scope of Work BIDDING

**INSTRUCTIONS:** For each line please provide the unit cost as requested. These additional line items will be made available to the City at the pricing submitted through Indefinite Quantity Agreement expiration date. Bidder must add any additional charges and fees not covered in the lines. Any charges not specifically listed here will not be approved for payment, should a purchase order be awarded. Prices shall be FOB Destination Freight Prepaid & Allowed unless otherwise specified.

BID OPENING DATE - 12/19/2023 1:00:00 PM

RFQ026451 - Roadway Improvements – Sinclair Road Sidewalks

1.1 Scope: The City of Columbus, Department of Public Service is receiving bids until December 19, 2023, at 1:00 PM local time, for construction services for the Roadway Improvements – Sinclair Road Sidewalks project. Bids are to be submitted only at [www.bidexpress.com](http://www.bidexpress.com). Hard copies shall not be accepted. This project consists of the construction of a 7 foot new sidewalk adjacent to the existing curb along both sides of Sinclair Road from Morse Road north to just south of Bull Moose Run, 5 foot sidewalks with 3 foot tree lawn in the limits of the culvert, and 5 foot sidewalks north to Strimple Avenue. This project also involves traffic signal updates at I-71 SB exit at Sinclair Road and Freeway Drive North at Sinclair Road and other such work as may be necessary to complete the contract, as set forth in this Invitation For Bid (IFB). All questions concerning this project are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions will be specified in the IFB; phone calls will not be accepted. Responses will be posted on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) as an addendum. A pre-bid meeting will not be held. Notice of published addenda will be posted on the City's Vendor Services web site and all addenda will be posted on [www.bidexpress.com](http://www.bidexpress.com). 1.2 Classification: All bid documents (Invitation for Bid, technical specifications, plans, and future addenda) will be available for review and download on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) after the IFB is published. Firms must meet the mandatory requirements stated in the IFB for a bid to be considered for contract award. 1.3 Bid Express: If you do not have an account with Bid Express and you would like to review project information or submit a bid, you will need to register for an account. Go to [www.bidexpress.com](http://www.bidexpress.com) in order to sign up. 1.4 City of Columbus MBE/WBE Program: This project is subject to the requirements of the City's MBE/WBE Program. The MBE/WBE goal assigned to this project is 15.0%.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 12/19/2023 2:00:00 PM

RFQ026352 - Alkire Rd Park Development

The City of Columbus (hereinafter "City") is accepting bids for ALKIRE RD PARK DEVELOPMENT, the work for which consists of site grading, asphalt paving, concrete installation, storm sewer installation, carpentry, playground installation, landscaping, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, plans and City of Columbus Construction and Material specifications set forth in this Invitation For Bid (IFB). WHERE & WHEN TO SUBMIT BID Bids will be received by the City of Columbus, Department of Recreation & Parks, at [www.bidexpress.com](http://www.bidexpress.com) until December 12th, 2023 at 2:00 P.M. Eastern Time. Drawings and technical specifications are available as separate documents at [www.bidexpress.com](http://www.bidexpress.com). Drawings and technical specifications are contract documents. Questions pertaining to the drawings, plans, specifications, IFB, and/or other contract documents must be submitted in writing to the Department of Recreation & Parks by email to Kelly Messer at [knmesser@columbus.gov](mailto:knmesser@columbus.gov) through December 5th, 2023. No phone calls will be accepted.

BID OPENING DATE - 12/20/2023 3:00:00 PM

RFQ026455 - Merchant Road and R3 Property Demolition

1.1 Scope: The City of Columbus, Department of Public Utilities is receiving bids until December 20, 2023, at 3:00 PM local time for construction of the Merchant Road and R3 Property Demolition, C.I.P. No. 690607-100000 the work for which consists of demolition of existing structures at two locations. Site 1 demolition includes a large storage structure and two concrete structure and Site 2 demolition includes a single story residential property with a basement, pole barns/outbuildings, well house, and other miscellaneous structures, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in the Invitation For Bid (IFB). Bids are to be submitted only at [www.bidexpress.com](http://www.bidexpress.com). Hard copies shall not be accepted. All questions concerning this project are to be sent to [DPUConstructionBids@columbus.gov](mailto:DPUConstructionBids@columbus.gov). The last day to submit questions will be specified in the IFB; phone calls will not be accepted. Responses will be posted on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) as an addendum. Notice of published addenda will be posted on the City's Vendor Services web site and all addenda will be posted on [www.bidexpress.com](http://www.bidexpress.com). A pre-bid meeting will be held. Attendance is encouraged. The pre-bid will begin at 9:30 A.M. on December 4, 2023, at the Watershed Office located at 4544 OH-257; Ostrander, OH 43061. Following the conclusion of the conference, bidders will have the opportunity to review the structures to be demolished at both sites. 1.2 Classification: All bid documents (Invitation for Bid, technical specifications, plans, and future addenda) will be available for review and download on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) after the IFB is published. Firms must meet the mandatory requirements stated in the IFB for a bid to be considered for contract award. 1.3 Bid Express: If you do not have an account with Bid Express and you would like to review project information or submit a bid, you will need to register for an account. Go to [www.bidexpress.com](http://www.bidexpress.com) in order to sign up. 1.4 City of Columbus MBE/WBE Program: This project is subject to the requirements of the City's MBE/WBE Program. The MBE/WBE goal assigned to this project is 15.0%. The contract will be awarded to the lowest, responsive, responsible, and best bidder. City certified MBE/WBE firms that submit a proposal may be eligible to receive a bid discount of 5% of the bid amount up to a maximum discount of \$50,000.00. To be eligible for the bid discount, the firm must: • Be the prime contractor. • Be certified by the City's Office of Diversity and Inclusion as an MBE/WBE capable of providing the type of construction services sought by the City at the bid due date. • Be a member of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City construction contracts. (The eligible groups for Construction IFB's are all City certified MBE/WBE firms except Hispanic American Male firms.) • Submit a completed Bid Discount / Proposal Incentive Request Form with the proposal. Contact the Office of Diversity and Inclusion, Tia Roseboro, Contract Compliance and Certification Programs Manager, at [THRoseboro@Columbus.gov](mailto:THRoseboro@Columbus.gov) with any questions concerning companies eligible to participate in the program.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 12/21/2023 11:00:00 AM

RFQ026409 - Project Taillight Auto Repair Services

The City of Columbus seeks vendors in good standing to provide auto repair services for the City's Project Taillight program. Through Project Taillight, Columbus residents who meet the program's eligibility requirements have access to free auto repairs. The selected vendors must agree to complete repairs, then bill the City of Columbus for reimbursement on a bi-weekly or monthly basis. The City will reimburse selected vendors up to \$3,000 per vehicle for approved safety repairs. Project Taillight covers repairs that render a vehicle unsafe to drive per Ohio Revised Code, Title 45, Chapter 4513, Section 4513.02. Please visit <https://columbus.bonfirehub.com/opportunities/113446> to review the full specifications and to submit your proposal.

BID OPENING DATE - 12/21/2023 2:00:00 PM

RFQ026585 - Olentangy Trail Clearing 2024

The City of Columbus is accepting Bids for the Olentangy Trail Tree Clearing 2024 which consists of tree clearing and other such work as may be necessary to complete the contract, in accordance with the scope of services set forth in this Invitation for Bid (IFB). Bids will be received by the City of Columbus, Department of Recreation & Parks, Design & Construction, until December 21, 2023 at 2:00 pm local time. The bid should be emailed to Brad Westall, [brwestall@columbus.gov](mailto:brwestall@columbus.gov) with the subject stating, "Olentangy Trail Tree Clearing 2024 - Company Name". The Contractor must complete all work by March 31, 2024. Weekend work is permitted. Questions regarding the IFB should be submitted to Brad Westall, via email to [brwestall@columbus.gov](mailto:brwestall@columbus.gov) prior to December 18th, 2023 at 2:00 pm local time.

BID OPENING DATE - 12/29/2023 11:00:00 AM

RFQ026278 - Outside Legal Counsel

The Columbus City Attorney's Office is seeking Statements of Qualifications, through this Request for Statements of Qualifications (RFSQ), from qualified legal professionals to create a Qualified Suppliers List and contract(s) to serve as Outside Legal Counsel and to provide related legal services to the City of Columbus, Ohio ("City"). For more information, and to submit your proposal, please visit <https://columbus.bonfirehub.com/opportunities/112078>

BID OPENING DATE - 1/4/2024 11:00:00 AM

RFQ026286 - Safety Recruiting Marketing

Recruitment and Marketing Campaign The City of Columbus Department of Public Safety seeks a qualified Consultant to evaluate current recruitment and marketing efforts, recommend best practice changes, and implement a comprehensive recruitment and marketing campaign to attract first responders i.e. police officers, firefighters, and 911 Call Takers and Dispatchers. The budget for this work is set at \$1 million and emanates from a grant from the State of Ohio whose funds must be expended in total by December 2024. View the full specifications and submit your proposal at <https://columbus.bonfirehub.com/opportunities/112170>



THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026534 - Compost Sludge Trailer

1.0 SCOPE AND CLASSIFICATION 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 and delivery of one (1) aluminum framed, half round trailer. The trailer will be used to haul sludge by the Compost Facility personnel. 1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of one (1) aluminum framed, half round trailer. 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 trailer 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 trailer 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. 1.3 Specification Questions: Questions regarding this bid must be submitted on the Vendor Services portal by 11:00 am December 11, 2023. Responses will be posted on the RFQ on Vendor Services no later than December 14, 2023 at 2:00 pm. 1.4 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number.

BID OPENING DATE - 1/4/2024 10:00:00 PM

RFQ026557 - CDBG - DFYF HVAC Replacement

\*\*\*Proposals and questions will only be accepted through the Bonfire Portal (use Google Chrome) at: <https://columbus.bonfirehub.com/projectDrafts/115054/details>. Communication outside of the Bonfire portal WILL NOT be accepted. Hard copies WILL NOT be accepted. Scope: The City of Columbus, Department of Finance and Management is receiving proposals until 10:00 AM local time on January 4, 2023 for design, engineering, and construction contract administration services for the Directions for Youth & Families HVAC Replacement Project. \*\*\* The MBE/WBE Goal for this project is: N/A There will be NO pre-proposal meeting or tour. The last day to submit questions is 10:00 AM local time on December 21, 2023. Phone calls will not be accepted. This ad will be posted on the Bonfire portal within 2 hours of the Vendor Services posting.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 1/10/2024 10:00:00 AM

RFQ026574 - Columbus Shared Mobility Device Program RFSQ

1.1 Scope: The City of Columbus, Department of Public Service is receiving responses until January 10, 2024 at 10:00 A.M. local time, for the Columbus Shared Mobility Device Program RFSQ. Responses are being received electronically by the Department of Public Service, Office of Support Services via Bonfire at <https://columbus.bonfirehub.com/login>. The City of Columbus ("City") invites responses from qualified vendors to manage, operate and expand its Shared Mobility Device Program. For the purposes of this RFSQ, "Shared Mobility" refers to the operation of scooters, bicycles and/or similar mobility devices including electric versions that are offered for short term rental to subscribers (this is also sometimes referred to as "micromobility"). The City's current program consists of two primary elements; a traditional docked bike share system (known as CoGo) and a Shared Mobility Device (SMD) permit program allowing for dockless shared mobility devices. This RFSQ will focus on the SMD program and is not anticipated to include the CoGo Bike Share system. All questions concerning the RFSQ are to be sent to [capitalprojects@columbus.gov](mailto:capitalprojects@columbus.gov). The last day to submit questions will be specified in the RFSQ; phone calls will not be accepted. Responses will be posted on Bonfire at <https://columbus.bonfirehub.com/login> as an addendum. A pre-proposal meeting will not be held. Notice of published addenda will be posted on the City's Vendor Services web site and all addenda will be posted on Bonfire at <https://columbus.bonfirehub.com/login>. 1.2 Classification: All response documents (Request for Statement of Qualifications, reference documents, addenda, etc.) will be available for review and download on Bonfire at <https://columbus.bonfirehub.com/login> after the advertisement date. Firms must meet the mandatory requirements stated in the RFSQ for a proposal to be considered for contract award. 1.3 Bonfire: If you do not have an account with Bonfire and you would like to review project information or submit a proposal, you will need to register for an account. Go to <https://columbus.bonfirehub.com/login> in order to sign up. 1.4 City of Columbus MBE/WBE Program: This project is subject to the requirements of the City's MBE/WBE Program. The MBE/WBE goal assigned to this project is 0%.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 1/10/2024 3:00:00 PM

RFQ026482 - DOW Safety Improvements

1.1 Scope: The City of Columbus, Department of Public Utilities is receiving bids until January 10, 2024, at 3:00 PM local time for construction of the Division of Water Safety Improvements, C.I.P. No. 690576-100000 the work for which consists of installation of various safety modifications and improvements including fall protection, signage, handrail and guardrail and other work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in this Invitation For Bid (IFB). Bids are to be submitted only at [www.bidexpress.com](http://www.bidexpress.com). Hard copies shall not be accepted. All questions concerning this project are to be sent to [DPUCConstructionBids@columbus.gov](mailto:DPUCConstructionBids@columbus.gov). The last day to submit questions will be January 3, 2024, phone calls will not be accepted. Responses will be posted on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) as an addendum. Notice of published addenda will be posted on the City's Vendor Services web site and all addenda will be posted on [www.bidexpress.com](http://www.bidexpress.com). A pre-bid meeting will be held. The City will be holding a pre-bid conference. Attendance is strongly recommended. It will be held at the Hap Cremean Water Plant -4250 Morse Road, Columbus, OH 43230 on December 12, 2023, at 10:00 AM EST, at the Administration Building Conference Room. Site tours will be provided for the Parsons Avenue Water Plant on 12/12/23 at 1:00 PM EST and for the Dublin Road Water Plant on 12/13/23 at 10:00 AM EST. 1.2 Classification: All bid documents (Invitation for Bid, technical specifications, plans, and future addenda) will be available for review and download on Bid Express at [www.bidexpress.com](http://www.bidexpress.com) after the IFB is published. Firms must meet the mandatory requirements stated in the IFB for a bid to be considered for contract award. 1.3 Bid Express: If you do not have an account with Bid Express and you would like to review project information or submit a bid, you will need to register for an account. Go to [www.bidexpress.com](http://www.bidexpress.com) in order to sign up. 1.4 City of Columbus MBE/WBE Program: This project is subject to the requirements of the City's MBE/WBE Program. The MBE/WBE goal assigned to this project is 15.0%. The contract will be awarded to the lowest, responsive, responsible, and best bidder. City certified MBE/WBE firms that submit a proposal may be eligible to receive a bid discount of 5% of the bid amount up to a maximum discount of \$50,000.00. To be eligible for the bid discount, the firm must: • Be the prime contractor. • Be certified by the City's Office of Diversity and Inclusion as an MBE/WBE capable of providing the type of construction services sought by the City at the bid due date. • Be a member of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City construction contracts. (The eligible groups for Construction IFB's are all City certified MBE/WBE firms except Hispanic American Male firms.) • Submit a completed Bid Discount / Proposal Incentive Request Form with the proposal. Contact the Office of Diversity and Inclusion, Tia Roseboro, Contract Compliance and Certification Programs Manager, at [THRoseboro@columbus.gov](mailto:THRoseboro@columbus.gov) with any questions concerning companies eligible to participate in the program.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026529 - SWWTP Post Aeration Diffuser Replacement 650354-100000

SWWTP Post Aeration Diffuser Replacement 650354-100000 The City of Columbus (hereinafter "City") is accepting bids for Southerly WWTP Post Aeration Diffuser Replacement, C.I.P. No. 650354-100000, the work for which consists of the replacement of existing blowers, diffusers, and butterfly gates, blower rehabilitation, sluice gate rehabilitation, structural concrete repair, stop logs installation, piping and valve replacement, railing replacement, HVAC and building improvements, electrical, instrumentation, and control system improvements, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in the Invitation For Bid (IFB). WHERE & WHEN TO SUBMIT BID Bids will only be received electronically by the City of Columbus, Department of Public Utilities via Bid Express ([www.bidexpress.com](http://www.bidexpress.com)). Bids are due January 10, 2024 at 3:00 P.M. Eastern Time. Bids will be opened electronically and responding bids will immediately be posted to Bid Express as "Apparent Bids." The responding bids will be further reviewed before any contract award is made. No public bid openings will be held pursuant to Columbus City Code Chapter 329.18. SPECIAL PROVISIONS, DRAWINGS AND TECHNICAL SPECIFICATIONS Special Provisions, Drawings and technical specifications are available as separate documents at [www.bidexpress.com](http://www.bidexpress.com). Drawings and technical specifications are contract documents. Drawings and technical specifications are available as separate documents at [www.bidexpress.com](http://www.bidexpress.com). PRE-BID CONFERENCE The City will be holding a pre-bid conference. Attendance is strongly recommended. It will be held at Southerly WWTP, Administration Building Conference Room, 6977 South High Street, Lockbourne, OH 43137 on December 7, 2023, at 1:30 p.m.

RFQ026532 - SCP 24SO Southerly West Primary Control (WPC) Roof Replaceme

The City of Columbus (hereinafter "City") is accepting bids for Southerly West Primary Control (WPC) Roof Replacement, C.I.P. No. 650234-100113, SCP 24SO the work for which consists of replacing the existing roofing system on the Southerly WWTP WPC Building, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in this Invitation For Bid (IFB). This IFB contains the following sections: • SECTION I: ADVERTISEMENT FOR BIDS – This section provides a brief overview of the project and bidding process. • SECTION II: BID FORMS – This section contains bid forms B1 through B9 and B14 • SECTION III: SPECIAL PROVISIONS – This IFB may contain special provisions. When included, these will be found in section three. • SECTION IV: CONTRACT FORMS – The contract section contains forms and instruments that will be used in the event of contract award. Do not complete and submit the contract with your bid. The contract will be completed by the selected bidder after an award determination has been made by the City and the contract is delivered to the selected bidder for execution. The City will not negotiate the terms contained in this contract. • SECTION V: TECHNICAL SPECIFICATIONS – If included, additional technical information pertaining to this project may be provided in this section. • SECTION VI: STANDARD DRAWINGS – If included, this section will provide standard drawings relevant to this project. • SECTION VII: APPENDICES – This section provides information related MBE/WBE Goals. In order for a bid to be considered responsive, the bidder must submit all required information for the project as outlined in the IFB. All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City; will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. WHERE & WHEN TO SUBMIT BID Bids will only be received electronically by the City of Columbus, Department of Public Utilities via Bid Express ([www.bidexpress.com](http://www.bidexpress.com)). Bids are due January 10, 2024 at 3:00 P.M. Eastern Time. Bids will be opened electronically and responding bids will immediately be posted to Bid Express as "Apparent Bids." The responding bids will be further reviewed before any contract award is made. No public bid openings will be held pursuant to Columbus City Code Chapter 329.18.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026594 - Blacklick Creek Sanitary Subtrunk Sewer - Turning Branch

The City of Columbus (hereinafter "city") is accepting bids for Blacklick Creek Sanitary Subtrunk Sewer – Turning Branch, C.I.P. No. 650138-100003, the work for which consists of construction of approximately 1,010 lf of 18" and 1,068 lf of 24" sanitary sewer, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material Specifications set forth in this Invitation For Bid (IBF). Where & When to submit bid Bids will only be received electronically by the City of Columbus, Department of Public Utilities via Bid Express ([www.bidexpress.com](http://www.bidexpress.com)). Bids are due 1/10/24 at 3:00 p.m. local time. Bids will be opened electronically and responding bids will immediately be posted to Bid Express as "apparent bids." The responding bids will be further reviewed before any contract award is made. No public bid openings will be held pursuant to Columbus City Code Chapter 329.18.

BID OPENING DATE - 1/11/2024 11:00:00 AM

RFQ026588 - Elevator Maintenance and Emergency Repair UTC

1.0 SCOPE AND CLASSIFICATION 1.1 Scope: This proposal is to provide the City of Columbus with a Universal Term Contract for the monthly inspection, routine maintenance and certification, and minor repairs of elevator systems at various City facilities. The proposed contract will be in effect through April 30, 2026 1.2 Classification: The successful bidder will provide and deliver inspections, maintenance and if needed, repairs to the 69 elevators owned or operated by the City of Columbus. Additional elevators may be added to the awarded contract at the discretion of the City. Bidders are required to show experience in providing this type of material and/or services as detailed in these specifications. 1.2.1 Bidder Experience: The elevator maintenance and repair offeror must submit an outline of its experience and work history in these types of materials and/or warranty service for the past five years. 1.2.2 Bidder References: The elevator maintenance and repair 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. 1.3 Specification Questions: Questions regarding this bid must be submitted on the Vendor Services portal by 11:00 am Monday, December 18th, 2023 . Responses will be posted on the RFQ on Vendor Services no later than Thursday, December 21th, 2023 at 11:00 am. 1.4 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 1/11/2024 1:00:00 PM

RFQ026521 - Public Safety Campus (RTCC)

\*\*\*Proposals and questions will only be accepted through the Bonfire Portal (use Google Chrome) at: <https://columbus.bonfirehub.com/projectDrafts/114370/publicFiles>. Communication outside of the Bonfire portal WILL NOT be accepted. Hard copies WILL NOT be accepted. Scope: The City of Columbus, Department of Finance and Management is receiving proposals until 1:00 PM local time on January 11, 2024 for Construction Manager at Risk (CMaR) Services for the City of Columbus's Public Safety Campus project. The City seeks a qualified firm to provide a comprehensive solution that includes assisting in design-development and construction oversight of a new Public Safety facility which will house the Real Time Crime Center, 911 Emergency Communications Center, Emergency Operations Center, including support staff, as well as a separate Police Substation, including all necessary assessments, planning, construction administrations services, and project management services for the facilities and technology systems to be located at the site. Also, as a part of this contract the CMaR will facilitate implementation of new technology software for the Department of Public Safety. This technology will be implemented within the new Public Safety Campus buildings. The City's expectation of the CMaR is to bring the construction of the facilities on schedule and on budget. \*\*\* The MBE/WBE Goal for this project is: 10%\*\*\* There will be no pre-submittal meeting. The last day to submit questions is 1:00 PM local time on December 18, 2023. Phone calls will not be accepted. This ad will be posted on the Bonfire portal within 4 hours of the Vendor Services posting.

RFQ026556 - DODC INSPECTION OFFICE RENOVATION REBID

1.1 Scope: The City of Columbus, Department of Finance and Management is receiving bids until 1:00 P.M. local time, January 11, 2024, for construction services for the DODC INSPECTION OFFICE RENOVATION REBID project. Bids are to be submitted only at [www.bidexpress.com](http://www.bidexpress.com). Hard copies shall not be accepted. The City of Columbus (hereinafter "City") is accepting bids for DODC INSPECTION OFFICE RENOVATION REBID 590130-100000. The DODC Inspection Office is Public Service's Division of Design & Construction Inspection Office located at 1800 E 17th Ave. This division is expanding so a 6,000 sq ft addition to the existing facility has been designed to facilitate their needs. The work includes the addition of 19 new offices, 3 conference and work rooms, restrooms, courtyard, and other offices amenities. The scope of work includes earthwork, structural foundations and steel, masonry, selective demolition, furniture, M.E.P.T., stand-by generator, fire alarm, fencing, hardscape, landscape, trees, parking lot reconfiguration & pavement, and storm & sewer utilities, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, and City of Columbus Construction and Material Specifications as set forth in this Invitation For Bid (IFB). . 1.2 Classification: All bid documents (Invitation for Bid, technical specifications, plans, and future addenda) are available for review and download at [www.bidexpress.com](http://www.bidexpress.com). Firms wishing to submit a bid must meet the mandatory requirements stated in the IFB, including being prequalified by the City of Columbus Office of Construction Prequalification. A pre-bid meeting will be held in the Conference Room at 1800 E 17th Avenue, Columbus, Ohio 43219, at 1:30 P.M. on December 13, 2023. Attendance is strongly encouraged. See the IFB for instructions as to how to submit questions. The last day to submit questions is January 4, 2024 at 1:00 P.M. Notice of published addenda will be posted on [www.bidexpress.com](http://www.bidexpress.com). Phone calls will not be accepted. 1.3 Bid Express: If you do not have an account with Bid Express and you would like to review projects information or submit a bid, you will need to sign up for an account. Go to [www.bidexpress.com](http://www.bidexpress.com) in order to sign up.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 1/11/2024 2:00:00 PM

RFQ026536 - CCTV Media Equipment- 111 N. Front

\*\*\*Proposals and questions will only be accepted through the Bonfire Portal (use Google Chrome) at: <https://columbus.bonfirehub.com/projectDrafts/114673/details>. Communication outside of the Bonfire portal WILL NOT be accepted. Hard copies WILL NOT be accepted. Scope: The City of Columbus, Department of Finance and Management is receiving proposals until 2:00 PM local time on January 11, 2024 for the CCTV Media Equipment- 111 N. Front project. The City is seeking a firm who specializes in audio, video, broadcast, and telecommunication technology systems with supplemental architecture services for controlled concealed installation. The Architect / Engineer will be responsible for complete architectural and engineering services for the Project, including but not limited to: program validation, design, construction contract administration, and close out. The A/E shall provide Special Inspections per OBC Chapter 17 as required. A pre-proposal meeting and facility tour shall be held at 111 North Front St., Room 204A, Columbus, Ohio 43215 at 1:30 PM, local time on December 1, 2023. There is NO MBE/WBE Goal for this project is. The last day to submit questions is 11:00 AM local time on January 4, 2024. Phone calls will not be accepted. This ad will be posted on the Bonfire portal within 4 hours of the Vendor Services posting.

BID OPENING DATE - 1/12/2024 12:00:00 PM

RFQ026593 - Recreation and Parks Foundation Executive Director

\*\*\*See attached spec sheet Proposal Deadline: Friday, Jan 12, 2024, at 12 p.m. EST Proposal Submission: Proposals must be addressed to Elaine Hostetler and submitted via email or hand delivered to: • [emhostetler@columbus.gov](mailto:emhostetler@columbus.gov) • Jerry Hammond Bldg. 1111 E. Broad St., Columbus, OH 43205 Attn: Elaine Hostetler (leave at the Security Desk) Questions must be emailed to [emhostetler@columbus.gov](mailto:emhostetler@columbus.gov) prior to 12 p.m. on Friday, January 5, 2024

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - 1/17/2024 3:00:00 PM

RFQ026531 - SCP 29JP DC3 and DC4 Roof Replacement 650234-100011

The City of Columbus (hereinafter "City") is accepting bids for Jackson Pike Digester Control Building 3 and 4 (DC3 and DC4) Roof Replacement, C.I.P. No. 650234-100111, SCP 29JP the work for which consists of replacing the existing roofing system on the Jackson Pike WWTP Digester Control Buildings 3 and 4, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in this Invitation For Bid (IFB). This IFB contains the following sections: • SECTION I: ADVERTISEMENT FOR BIDS – This section provides a brief overview of the project and bidding process. • SECTION II: BID FORMS – This section contains bid forms B1 through B9 and B14 • SECTION III: SPECIAL PROVISIONS – This IFB may contain special provisions. When included, these will be found in section three. • SECTION IV: CONTRACT FORMS – The contract section contains forms and instruments that will be used in the event of contract award. Do not complete and submit the contract with your bid. The contract will be completed by the selected bidder after an award determination has been made by the City and the contract is delivered to the selected bidder for execution. The City will not negotiate the terms contained in this contract. • SECTION V: TECHNICAL SPECIFICATIONS – If included, additional technical information pertaining to this project may be provided in this section. • SECTION VI: STANDARD DRAWINGS – If included, this section will provided standard drawings relevant to this project. • SECTION VII: APPENDICES – This section provides information related MBE/WBE Goals. In order for a bid to be considered responsive, the bidder must submit all required information for the project as outlined in the IFB. All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City; will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43.

WHERE & WHEN TO SUBMIT BID Bids will only be received electronically by the City of Columbus, Department of Public Utilities via Bid Express ([www.bidexpress.com](http://www.bidexpress.com)). Bids are due January 10, 2024 at 3:00 P.M. Eastern Time. Bids will be opened electronically and responding bids will immediately be posted to Bid Express as "Apparent Bids." The responding bids will be further reviewed before any contract award is made. No public bid openings will be held pursuant to Columbus City Code Chapter 329.18.



THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026533 - SCP 28JP Whittier St Storm Tanks Control House Roof Replacem

The City of Columbus (hereinafter "City") is accepting bids for Whittier St Storm Tanks Control House Roof Replacement, C.I.P. No. 650234-100114 the work for which consists of replacing the existing roofing system on the Whittier St Storm Tanks Control House, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in this Invitation For Bid (IFB). This IFB contains the following sections: • SECTION I: ADVERTISEMENT FOR BIDS – This section provides a brief overview of the project and bidding process. • SECTION II: BID FORMS – This section contains bid forms B1 through B9 and B14 • SECTION III: SPECIAL PROVISIONS – This IFB may contain special provisions. When included, these will be found in section three. • SECTION IV: CONTRACT FORMS – The contract section contains forms and instruments that will be used in the event of contract award. Do not complete and submit the contract with your bid. The contract will be completed by the selected bidder after an award determination has been made by the City and the contract is delivered to the selected bidder for execution. The City will not negotiate the terms contained in this contract. • SECTION V: TECHNICAL SPECIFICATIONS – If included, additional technical information pertaining to this project may be provided in this section. • SECTION VI: STANDARD DRAWINGS – If included, this section will provided standard drawings relevant to this project. • SECTION VII: APPENDICES – This section provides information related MBE/WBE Goals. In order for a bid to be considered responsive, the bidder must submit all required information for the project as outlined in the IFB. All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City; will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. WHERE & WHEN TO SUBMIT BID Bids will only be received electronically by the City of Columbus, Department of Public Utilities via Bid Express ([www.bidexpress.com](http://www.bidexpress.com)). Bids are due January 10, 2024 at 3:00 P.M. Eastern Time. Bids will be opened electronically and responding bids will immediately be posted to Bid Express as "Apparent Bids." The responding bids will be further reviewed before any contract award is made. No public bid openings will be held pursuant to Columbus City Code Chapter 329.18.

BID OPENING DATE - 1/25/2024 11:00:00 AM

RFQ026438 - Liquid Chlorine UTC

1.1 Scope: This proposal is to provide the City of Columbus with a Universal Term Contract (blanket type) to purchase approximately 480 tons annually of Liquid Chlorine as a disinfection agent at two City of Columbus Water Plants. The proposed contract can potentially be in effect until March 31, 2027. 1.2 Classification: The successful bidder will provide, deliver and unload bulk quantities of Liquid Chlorine. The supplier will also be required to provide specified safety training sessions. Bidders are required to show experience in providing the chemical as detailed in these specifications. 1.2.1 Bidder Experience: The bidder must submit an outline of its experience and work history in these types of materials and/or warranty service for the past five years. 1.2.2 Bidder References: The bidder 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number. 1.4 The City has instructional videos to assist bidders at the portal. Tutorial videos are available to be viewed through You Tube or by clicking the following link: [https://www.youtube.com/channel/UCTIkkGNM7GHIITzoqQVNJIA/videos?shelf\\_id=0&view=0&sort=dd](https://www.youtube.com/channel/UCTIkkGNM7GHIITzoqQVNJIA/videos?shelf_id=0&view=0&sort=dd)

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026460 - Hydrofluosilicic Acid UTC

1.1 Scope: This proposal is to provide the City of Columbus, Division of Water with a Universal Term Contract (blanket type) to purchase approximately 920 liquid tons annually of Hydrofluorosilicic Acid for use as a fluoridation agent with potable water at three City of Columbus Water Plants. The proposed contract will potentially be in effect through March 31, 2027, with an optional one year extension. 1.2 Classification: The successful bidder will provide, deliver and unload bulk quantities of Hydrofluorosilicic Acid. The supplier will also be required to provide specified safety training sessions. 1.2.1 Bidder Experience: The offeror must submit an outline of its experience and work history in this type of material for the past five years. 1.2.2 Bidder References: The 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number.

RFQ026492 - Carbon Dioxide UTC

1.1 Scope: This proposal is to provide the City of Columbus with a Universal Term Contract (blanket type) to purchase approximately 6,750 tons annually of Carbon Dioxide as a recarbonation agent for potable water at three City of Columbus Water Plants. The proposed contract can potentially be in effect until March 31, 2027. 1.2 Classification: The successful bidder will provide, deliver and unload bulk quantities of Carbon Dioxide. The supplier will also be required to provide specified safety training sessions. Bidders are required to be authorized dealers or distributors and show experience in providing the chemical as detailed in these specifications. 1.2.1 Bidder Experience: The bidder must submit an outline of its experience and work history in these types of materials and/or warranty service for the past five years. 1.2.2 Bidder References: The bidder 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number. 1.4 The City has instructional videos to assist bidders at the portal. Tutorial videos are available to be viewed through You Tube or by clicking the following link: [https://www.youtube.com/channel/UCTIkkGNM7GHITzoqQVNJIA/videos?shelf\\_id=0&view=0&sort=dd](https://www.youtube.com/channel/UCTIkkGNM7GHITzoqQVNJIA/videos?shelf_id=0&view=0&sort=dd)

RFQ026497 - Quicklime UTC

1.1 Scope: This proposal is to provide the City of Columbus with a Universal Term Contract (blanket type) to purchase approximately 35,500 tons annually of Quicklime as a softening agent for potable water at three City of Columbus Water Plants. The proposed contract can potentially be in effect until March 31, 2027. 1.2 Classification: The successful bidder will provide, deliver and unload bulk quantities of Quicklime. The supplier will also be required to provide specified safety training sessions. Bidders are required to show experience in providing the chemical as detailed in these specifications. 1.2.1 Bidder Experience: The bidder must submit an outline of its experience and work history in these types of materials and/or warranty service for the past five years. 1.2.2 Bidder References: The bidder 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number. 1.4 The City has instructional videos to assist bidders at the portal. Tutorial videos are available to be viewed through You Tube or by clicking the following link: [https://www.youtube.com/channel/UCTIkkGNM7GHITzoqQVNJIA/videos?shelf\\_id=0&view=0&sort=dd](https://www.youtube.com/channel/UCTIkkGNM7GHITzoqQVNJIA/videos?shelf_id=0&view=0&sort=dd)

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

RFQ026501 - Liquid Oxygen UTC

1.1 Scope: This proposal is to provide the City of Columbus, Division of Water with a Universal Term Contract (blanket type) to purchase approximately 5,100 tons annually of Liquid Oxygen to be used as an oxidation agent for potable water at two City of Columbus Water Plants. The proposed contract will potentially be in effect through March 31, 2027. 1.2 Classification: The successful bidder will provide and deliver and unload bulk quantities of Liquid Oxygen. The supplier will also be required to provide specified safety training sessions. Bidders are required to be authorized dealers or distributors and show experience in providing the chemical(s) as detailed in these specifications. 1.2.1 Bidder Experience: The offeror must submit an outline of its experience and work history in this type of material for the past five years. 1.2.2 Bidder References: The 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number.

RFQ026506 - Zinc Orthophosphate UTC

1.1 Scope: This proposal is to provide the City of Columbus, Division of Water with a Universal Term Contract (blanket type) to purchase approximately 1,080 liquid tons (at 6% Zinc) annually of Zinc Orthophosphate to be used as a corrosion control agent for potable water at three City of Columbus Water Plants. The proposed contract will potentially be in effect through March 31, 2027. 1.2 Classification: The successful bidder will provide, deliver and unload bulk quantities of ZnPO<sub>4</sub> at 1:5 Zinc to Phosphate ratio. The supplier will also be required to provide specified safety training sessions. Bidders are required to be authorized dealers or distributors and show experience in providing the chemical(s) as detailed in these specifications. 1.2.1 Bidder Experience: The offeror must submit an outline of its experience and work history in this type of material for the past five years. 1.2.2 Bidder References: The 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. 1.3 For additional information concerning this bid, including procedures on how to submit a proposal, you must go to the City of Columbus Vendor Services web site at <http://vendors.columbus.gov/sites/public> and view this bid number.

# Public Notices

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The link to the Columbus City Health Code pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, [click here \(pdf\)](#).

The Columbus City Code's "Title 7 -- Health Code" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," [click here \(html\)](#).

**City of Columbus  
City Bulletin Report**

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

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**Legislation Number:** PN0004-2024

**Drafting Date:** 12/13/2023

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Wage Theft Prevention and Enforcement Commission adopts new Rules and Regulations

**Contact Name:** Nate Hall

**Contact Telephone Number:** 614-645-5664

**Contact Email Address:** nchall@columbus.gov

On Wednesday, December 6, 2023, the Wage Theft Prevention and Enforcement Commission adopted amended Rules and Regulations to reflect changes made by Ordinance 1016-2023 Freelance Worker Protections. These changes include new duties assigned to the Commission in Chapter 2337 as well as updates in language and numbering in Chapter 377.

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**Legislation Number:** PN0005-2024

**Drafting Date:** 12/13/2023

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Communications12132023

**Contact Name:** Michele Boone

**Contact Telephone Number:** 614-645-5291

**Contact Email Address:** mlboone@columbus.gov

THE FOLLOWING COMMUNICATIONS WERE RECEIVED BY THE CITY CLERK'S OFFICE AS OF WEDNESDAY  
DECEMBER 13, 2023

New: D3 D3A

To: PB JAKES LTD  
1036 S FRONT ST  
COLUMBUS, OH 43206  
Permit #: 66201790020

New: D2

To: JOLLY MAN FOODS LLC  
DBA MIMIS CAFE  
1428 POLARIS PKWY  
COLUMBUS, OH 43240  
Permit #: 4345616

Transfer Type: D5J D6  
To: CEDEIRA LLC  
DBA SPAIN NIGHT CLUB  
& PATIO

6136 BUSCH BLVD  
COLUMBUS, OH 43229  
From: ESPANA LLC  
DBA SPAIN NIGHT CLUB  
& PATIO  
6136 BUSCH BLVD  
COLUMBUS, OH 43229  
Permit #: 1335411

New: C1 C2  
To: SUNSHINE STORES LLC  
DBA SAVE A LOT  
677 HARRISBURG PK  
COLUMBUS, OH 43223  
Permit #: 86933050130

New: C1 C2  
To: SUNSHINE STORES LLC  
DBA SAVE A LOT  
1254 MORSE RD  
COLUMBUS, OH 43229  
Permit #: 86933050135

Transfer Type: D5 D6  
To: CHUANJIANG HAOZI LLC  
496 ACKERMAN RD  
COLUMBUS, OH 43202  
From: SAWMILL ATHLETIC CLUB INC  
3111 HAYDEN RD  
COLUMBUS, OH 43220  
Permit #: 1425634

Stock: D5J D6  
To: ESPANA LLC  
DBA SPAIN NIGHT CLUB  
& PATIO  
6136 BUSCH BLVD  
COLUMBUS, OH 43229  
Permit #: 2547915

New: C1 C2  
To: BROTHERS MARKET LLC  
BROTHERS MARKET LLC  
1971 DOREN AVE  
COLUMBUS, OH 43223  
Permit #: 0991671

Advertise Date: 12/16/23  
Return Date: 12/26/23

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**Legislation Number:** PN0209-2023

**Drafting Date:** 6/29/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Columbus Art Commission 2023 Hearing and Application Schedule

**Contact Name:** Luis Teba

**Contact Telephone Number:** 614.645.8062

**Contact Email Address:** art@columbus.gov

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- 8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

**Application Deadline Hearing Dates\*\***

([lfteba@columbus.gov](mailto:lfteba@columbus.gov))\*

December 22, 2022 January 18, 2023

January 19, 2023 February 15, 2023

February 16, 2023 March 15, 2023

March 23, 2023 April 19, 2023

April 20, 2023 May 17, 2023

May 25, 2023 June 21, 2023

June 22, 2023 July 19, 2023

July 20, 2023 August 16, 2023

August 24, 2023 September 20, 2023

September 21, 2023 October 18, 2023

October 19, 2023 November 15, 2023

November 23, 2023 December 20, 2023

December 21, 2023 January 17, 2024

Hearings are held in-person in room 204 at the Coleman Government Center, 111 N. High Street, Columbus, OH 43215 and the start time will be **4:00 PM**. Staff should be contacted before an application and materials are submitted electronically. Hard copy submissions are no longer needed.

\* If you have questions call 614.645.8062 (o).

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

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**Legislation Number:** PN0235-2023

**Drafting Date:** 8/2/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Notice/Advertisement Title:** 2023 Civilian Police Review Board: Investigation Review Committee Meetings

**Contact Name:** Stephanie Brock

**Contact Telephone Number:** 614-645-9601

**Contact Email Address:** [Civilianreviewboard@columbus.gov](mailto:Civilianreviewboard@columbus.gov) <<mailto:Civilianreviewboard@columbus.gov>>

**Civilian Police Review Board  
2023 Investigation Review Committee Meetings**

***NOTICE OF REGULAR MEETINGS***

***CIVILIAN POLICE REVIEW BOARD: Investigation Review Committee Meetings***

The Civilian Police Review Board, appointed and organized under the Charter of the City of Columbus, Section 235.02 is empowered promulgate rules and regulations, in accordance with C.C.C. Section 121.05 to carry out its duties as provided for in the Charter and in this chapter. In addition, said Commission exercises certain powers and duties as specified in Sections 235.03 of the Columbus City Charter.

Please take notice that meetings of the Civilian Police Review Board Investigation Review Committee Meetings will be held at the following dates and locations (unless otherwise posted):

**Review Board Investigation Review Committee #1 Meetings**

Thursday, August 24, 2023 @ 10:00a - Vineyard Columbus, 6000 Cooper Rd.  
Thursday, September 21, 2023 @ 10:00a - Vineyard Columbus, 6000 Cooper Rd.  
Thursday, November 2, 2023 @ 10:00a - Vineyard Columbus, 6000 Cooper Rd.  
Monday, November 27, 2023 @ 10:00a - Vineyard Columbus, 6000 Cooper Rd.  
December - TBD

**Review Board Investigation Review Committee #2 Meetings**

Monday, August 28, 2023 @ 2:15p - Columbus Metropolitan Main Library, Meeting Room 1A  
Tuesday, September 26, 2023 @ 3:30p - Columbus Metropolitan Main Library, Meeting Room 2B  
Monday, October 23, 2023 @ 3:30p - Columbus Metropolitan Main Library, Meeting Room 1A  
Tuesday, December 5, 2023 @ 100p - 141 N. Front St., Lower Level Conference Room  
December - TBD

**Review Board Investigation Review Committee #3 Meetings**

Tuesday, August 15, 2023 @ 6:00p - MLK Library, 1467 E. Long St.  
Tuesday, August 22, 2023 @ 6:00p - MLK Library, 1467 E. Long St.  
Tuesday, September 19, 2023 @ 6:00p - MLK Library, 1467 E. Long St.  
Thursday, October 26, 2023 @ 6:00p - MLK Library, 1467 E. Long St.  
Thursday, November 21, 2023 @ 6:00p - MLK Library, 1467 E. Long St.  
December - TBD

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Board's Executive Assistant, Stephanie Brock. Telephone: (614-645-9601), or at Email: [Civilianreviewboard@columbus.gov](mailto:Civilianreviewboard@columbus.gov) <<mailto:Civilianreviewboard@columbus.gov>>

Brooke Burns, Chair  
Civilian Police Review Board

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**Legislation Number:** PN0250-2023

**Drafting Date:** 8/24/2023

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** University Impact District Review Board 2023 Meeting Schedule



**Contact Email Address:** UIDRB@columbus.gov

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) 645-8871 or e-mail zdjones@columbus.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ Business Meeting\*\* Regular Meeting\*\*  
(uidrb@columbus.gov)\* (111 N. Front St. Rm. #204) (111 N. Front St. Rm. #204)  
12:00pm 4:00pm

December 30, 2022 January 12, 2023 January 26, 2023  
January 27, 2023 February 9, 2023 February 23, 2023  
February 24, 2023 March 9, 2023 March 23, 2023  
March 31, 2023 April 13, 2023 April 27, 2023  
April 28, 2023 May 11, 2023 May 25, 2023  
May 26, 2023 June 8, 2023 June 22, 2023  
June 30, 2023 July 13, 2023 July 27, 2023  
July 28, 2023 August 10, 2023 August 24, 2023  
September 1, 2023 September 14, 2023 **October 4, 2023**  
September 29, 2023 October 12, 2023 October 26, 2023  
October 27, 2023 November 9, 2023 November 20, 2023^  
December 1, 2023 December 14, 2023 December 18, 2023^

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation. Please contact staff to confirm dates and Room location for Business Meetings.

Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date and location change due to holiday

^^NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

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**Legislation Number:** PN0282-2023

**Drafting Date:** 9/26/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** City of Columbus Records Commission- Meeting Schedule 2024

**Contact Name:** Monique L. Goins-Ransom, Records Commission Coordinator

**Contact Telephone Number:** 614-645-0845

**Contact Email Address:** mlgoins-ransom@columbus.gov

## **CITY OF COLUMBUS RECORDS COMMISSION MEETING SCHEDULE 2024:**

The regular meetings of the City of Columbus Records Commission for the calendar year 2024 are scheduled as follows:

**Monday, February 12, 2024**

**Monday, May 20, 2024**

**Monday, September 16, 2024**

Meetings will take place at: **City Hall, 90 West Broad Street, 2nd Floor, in the City Council Chambers. They will begin promptly at 10:00 am.**

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact Monique Goins-Ransom the City of Columbus Records Commission Coordinator at (614) 645-0845.

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**Legislation Number:** PN0290-2022

**Drafting Date:** 10/24/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** City of Columbus Records Commission- Meeting Schedule 2023

**Contact Name:** Monique L. Goins-Ransom, Records Commission Coordinator

**Contact Telephone Number:** 614-645-0845

**Contact Email Address:** mlgoins-ransom@columbus.gov

#### **CITY OF COLUMBUS RECORDS COMMISSION MEETING SCHEDULE 2023:**

The regular meetings of the City of Columbus Records Commission for the calendar year 2023 are scheduled as follows:

**Monday, February 13, 2023**

**Monday, May 15, 2023**

**Monday, September 18, 2023**

Meetings will take place at: **City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room 225. They will begin promptly at 10:00 am.**

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact Monique Goins-Ransom the City of Columbus Records Commission Coordinator at (614) 645-0845.

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**Legislation Number:** PN0318-2023

**Drafting Date:** 11/14/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice  
**Type:**

**Notice/Advertisement Title:** Depository Commission and Treasury Investment Board Meeting

**Contact Name:** Dean Smith

**Contact Telephone Number:** 614-645-7197

**Contact Email Address:** drsmith@columbus.gov

Date: December 20th, 2023

Time 1:00-2:00 PM

Location: 90 West Broad Street, Room 117

Purpose: To review and approve depositories for 2024

Members of the public unable to join in-person have the option to join virtually via Webex Teleconference format  
Interested parties wishing to attend the meeting virtually should use the following Webex dial in information:

Join by phone: 1-650-479-3207 (Call in toll number for US/Canada)

Meeting number/access code: 2324 970 2428

Password (if needed): 1797

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**Legislation Number:** PN0330-2023

**Drafting Date:** 11/20/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice  
**Type:**

**Notice/Advertisement Title:** West Scioto Area Commission December Meeting Cancelled

**Contact Name:** Kristen McKinley, Chair

**Contact Email Address:** mckinleywsac@gmail.com

The December 21st meeting of the full West Scioto Area Commission has been cancelled. Regular meetings will resume in January 2024. Please visit <https://www.westsciotoarea.com/> for more information.

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**Legislation Number:** PN0331-2023

**Drafting Date:** 11/21/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice  
**Type:**

**Notice/Advertisement Title:** Public Utilities Notice: Department of Public Utilities - Industrial Wastewater Discharge Permits

**Contact Name:** Paul Kerr III

**Contact Telephone Number:** (614) 645-5876

**Contact Email Address:** pakerr@columbus.gov

The Administrator of the Division of Sewerage and Drainage announces intent to issue an Industrial Wastewater Discharge Permit to the following company(s) on or about Tuesday, December 26, 2023; Industrial Container Services-OH LLC, 1385 Blatt Blvd., Gahanna, OH 43230 .

The Draft Permit(s) will be available for review between 7:30 A.M. and 4:00 P.M. December 4, 2023 through December 22, 2023 at the City of Columbus Industrial Wastewater Pretreatment Office, 1250 Fairwood Avenue, Suite 186, Columbus, Ohio

43206. Written comments will be accepted during this period at the above address or via email at [Pretreatment@Columbus.gov](mailto:Pretreatment@Columbus.gov) <<mailto:Pretreatment@Columbus.gov>>. This Notice is made according to Columbus City Code Chapter 1145.44(C).

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**Legislation Number:** PN0332-2023

**Drafting Date:** 11/21/2023

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Public Utilities Notice: Department of Public Utilities - Industrial Wastewater Discharge Permits

**Contact Name:** Paul Kerr III

**Contact Telephone Number:** (614) 645-5876

**Contact Email Address:** pakerr@columbus.gov

The Administrator of the Division of Sewerage and Drainage announces intent to issue an Industrial Wastewater Discharge Permit to the following company(s) on or about Tuesday, January 9, 2024; Luxottica Optical Manufacturing, 2150 Bixby Road, Lockbourne, OH 43137 .

The Draft Permit(s) will be available for review between 7:30 A.M. and 4:00 P.M. December 4, 2023 through December 22, 2023, at the City of Columbus Industrial Wastewater Pretreatment Office, 1250 Fairwood Avenue, Suite 186, Columbus, Ohio 43206. Written comments will be accepted during this period at the above address or via email at [Pretreatment@Columbus.gov](mailto:Pretreatment@Columbus.gov) <<mailto:Pretreatment@Columbus.gov>>. This Notice is made according to Columbus City Code Chapter 1145.44(C).

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**Legislation Number:** PN0334-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Victorian Village Commission 2023 Meeting Schedule

**Contact Name:** Kimberly Barnard-Sheehy

**Contact Telephone Number:**

**Contact Email Address:** VVC@columbus.gov

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^  
([VVC@columbus.gov](mailto:VVC@columbus.gov))\*  
4:00p.m.

Business Meeting Date\*\*  
(111 N. Front St., 2nd Fl. Rm. 204)+  
12:00p.m.

Hearing Date\*\*  
(111 N. Front St., 2nd Fl. Rm.204)+  
4:00p.m.

December 15, 2022

December 28, 2022

January 11, 2023

January 12, 2023	January 25, 2023	February 8, 2023
February 9, 2023	February 22, 2023	March 8, 2023
March 16, 2023	March 29, 2023	April 12, 2023
April 13, 2023	April 26, 2023	May 10, 2023
May 18, 2023	May 31, 2023	June 14, 2023
June 15, 2023	June 28, 2023	July 12, 2023
July 13, 2023	July 26, 2023	August 9, 2023
August 17, 2023	August 30, 2023	September 13, 2023
September 14, 2023	September 27, 2023	October 11, 2023
October 12, 2023	October 25, 2023	November 8, 2023
November 16, 2023	November 29, 2023	December 13, 2023
December 14, 2023	December 27, 2023	January 10, 2024

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning). The Hearing time changed to 4:00 p.m. in July 2021.

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0335-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** University Impact District Review Board 2023 Meeting Schedule

**Contact Email Address:** UIDRB@columbus.gov

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ ( <a href="mailto:uidrb@columbus.gov">uidrb@columbus.gov</a> )*	Business Meeting** (111 N. Front St. Rm. #204) 12:00pm	Regular Meeting** (111 N. Front St. Rm. #204) 4:00pm
December 30, 2022	January 12, 2023	January 26, 2023
January 27, 2023	February 9, 2023	February 23, 2023
February 24, 2023	March 9, 2023	March 23, 2023
March 31, 2023	April 13, 2023	April 27, 2023

April 28, 2023	May 11, 2023	May 25, 2023
May 26, 2023	June 8, 2023	June 22, 2023
June 30, 2023	July 13, 2023	July 27, 2023
July 28, 2023	August 10, 2023	August 24, 2023
September 1, 2023	September 14, 2023	September 28, 2023
September 29, 2023	October 12, 2023	October 26, 2023
October 27, 2023	November 9, 2023	November 20, 2023 <sup>^</sup>
December 1, 2023	December 14, 2023	December 18, 2023 <sup>^</sup>

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation. Please contact staff to confirm dates and Room location for Business Meetings. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

<sup>^</sup>Date and location change due to holiday

<sup>^^</sup>NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0336-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** Rocky Fork-Blacklick Accord 2023 Meeting Schedule

**Contact Name:** Nolan Harshaw

**Contact Telephone Number:** 614.645.1995

**Contact Email Address:** [nmharshaw@columbus.gov](mailto:nmharshaw@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline<sup>^^</sup>      Hearing Dates<sup>\*\*</sup>  
[planninginfo@columbus.gov](mailto:planninginfo@columbus.gov)\* <<mailto:planninginfo@columbus.gov>>\* (New Albany Village Hall)+

December 23, 2022~~2023~~      January 19, 2023

January 20, 2023~~2023~~      February 16, 2023

February 17, 2023~~2023~~      March 16, 2023

March 24, 2023~~2023~~      April 20, 2023

April 21, 2023~~2023~~      May 18, 2023

May 19, 2023~~2023~~      June 15, 2023

June 23, 2023                      July 20, 2023  
 July 21, 2023<sup>^</sup> August 17, 2023  
 August 25, 2023 September 21, 2023  
 September 27, 2023<sup>^</sup> October 19, 2023  
 October 20, 2023 November 16, 2023  
 November 22, 2023<sup>^</sup> December 21, 2023  
 December 27, 2023<sup>^</sup> January 18, 2024

+ Meeting Location & Time: 99 W. Main St. New Albany, OH 43054 at 4:00 PM.

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0337-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Italian Village Commission 2023 Meeting Schedule

**Contact Email Address:** [IVC@columbus.gov](mailto:IVC@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

<b>Application Deadline</b> <sup>^^</sup> ( <a href="mailto:IVC@columbus.gov">IVC@columbus.gov</a> < <a href="mailto:IVC@columbus.gov">mailto:IVC@columbus.gov</a> >)* (111 N. Front St. Hearing Rm. 204) (111 N. Front St. Hearing Rm. 204)	<b>Business Meeting Date</b> ** 12:00p.m.	<b>Hearing Date</b> ** 4:00p.m.
December 14, 2022	December 27, 2022	January 10, 2023
January 18, 2023	January 31, 2023	February 14, 2023
February 15, 2023	February 28, 2023	March 14, 2023
March 15, 2023	March 28, 2023	April 11, 2023

April 12, 2023	April 25, 2023	May 9, 2023
May 17, 2023	May 30, 2023	June 13, 2023
June 14, 2023	June 27, 2023	July 11, 2023
July 12, 2023	July 25, 2023	August 8, 2023
August 16, 2023	August 29, 2023	September 12, 2023
September 13, 2023	September 26, 2023	October 10, 2023
October 18, 2023	October 31, 2023	November 14, 2023
November 15, 2023	November 28, 2023	December 12, 2023
December 13, 2023	December 26, 2023	January 9, 2024

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0338-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Historic Resource Commission 2023 Meeting Schedule

**Contact Email Address:** [HRC@columbus.gov](mailto:HRC@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ <a href="mailto:HRC@columbus.gov">(<a href="mailto:HRC@columbus.gov">HRC@columbus.gov</a>)</a> *	Business Meeting Date** (111 N. Front St. Hearing Rm. 204)	Hearing Date** (111 N. Front St. Hearing earing HRm. 204)
4:00p.m.	12:00p.m.	4:00p.m.
December 23, 2022	January 5, 2023	January 19, 2023
January 20, 2023	February 2, 2023	February 16, 2023
February 17, 2023	March 2, 2023	March 16, 2023
March 24, 2023	April 6, 2023	April 20, 2023
April 21, 2023	May 4, 2023	May 18, 2023



May 19, 2023	June 1, 2023	June 15, 2023
June 23, 2023	July 6, 2023	July 20, 2023
July 21, 2023	August 3, 2023	August 17, 2023
August 25, 2023	September 7, 2023	September 21, 2023
September 22, 2023	October 5, 2023	October 19, 2023
October 20, 2023	November 2, 2023	November 16, 2023
November 17, 2023	December 7, 2023	December 21, 2023
December 22, 2023	January 4, 2024	January 18, 2024

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0339-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter:** Public Notice

**Type:**

**Notice/Advertisement Title:** German Village Commission 2023 Meeting Schedule

**Contact Email Address:** [GVC@columbus.gov](mailto:GVC@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ ( <a href="mailto:GVC@columbus.gov">GVC@columbus.gov</a> )* 4:00p.m.	Business Meeting Date** (111 N. Front St. Hearing Rm. 204) 12:00p.m.	Hearing Date** (111 N. Front St. Hearing earing HRm. 204) 4:00p.m.
December 8, 2022	December 21, 2022	January 4, 2023
January 5, 2023	January 18, 2023	February 1, 2023
February 2, 2023	February 15, 2023	March 1, 2023
March 9, 2023	March 22, 2023	April 5, 2023
April 6, 2023	April 19, 2023	May 3, 2023
May 11, 2023	May 24, 2023	June 7, 2023

June 8, 2023	June 21, 2023	July 5, 2023
July 6, 2023	July 19, 2023	August 2, 2023
August 10, 2023	August 23, 2023	September 6, 2023
September 7, 2023	September 20, 2023	October 4, 2023
October 5, 2023	October 18, 2023	November 1, 2023
November 9, 2023	November 22, 2023	December 6, 2023
December 7, 2023	December 20, 2023	January 3, 2024

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning) <<http://www.columbus.gov/planning>>

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0340-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** East Franklinton Review Board 2023 Meeting Schedule

**Contact Email Address:** [efrb@columbus.gov](mailto:efrb@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ ( <a href="mailto:efrb@columbus.gov">efrb@columbus.gov</a> )*	Business Meeting** (111 N. Front St., Rm #204) 12:00pm	Regular Meeting** (111 N. Front St. Rm. #204) 3:00pm
December 29, 2022	January 11, 2022	January 25, 2023
January 26, 2023	February 8, 2022	February 22, 2023
February 23, 2023	March 8, 2022	March 22, 2023
March 30, 2023	April 12, 2022	April 26, 2023
April 27, 2023	May 10, 2022	May 24, 2023
June 1, 2023	June 14, 2022	June 28, 2023

June 29, 2023	July 12, 2022	July 26, 2023
July 27, 2023	August 9, 2022	August 23, 2023
August 31, 2023	September 13, 2022	September 27, 2023
September 28, 2023	October 11, 2022	October 25, 2023
November 2, 2023^	November 15, 2022^	November 29, 2023^
November 30, 2023^	December 6, 2022^	December 20, 2023^

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.) The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0341-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Downtown Commission 2023 Meeting Schedule

**Contact Name:** Luis Teba

**Contact Telephone Number:** 614-645-8062

**Contact Email Address:** [DC@columbus.gov](mailto:DC@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline ( <a href="mailto:DC@columbus.gov">DC@columbus.gov</a> ) *	Business Meeting** (111 N. Front St., Rm #204) 8:30am	Regular Meeting** (111 N. Front St. Rm. #204) 8:30am
December 28, 2022	January 10, 2023	January 24, 2023
February 1, 2023	February 14, 2023	February 28, 2023
March 1, 2023	March 14, 2023	March 28, 2023
March 29, 2023	April 11, 2023	April 25, 2023
April 26, 2023	May 9, 2023	May 23, 2023
May 31, 2023	June 13, 2023	June 27, 2023
June 28, 2023	July 11, 2023	July 25, 2023

July 26, 2023	August 8, 2023	August 22, 2023
August 30, 2023	September 12, 2023	September 26, 2023
September 27, 2023	October 10, 2023	October 24, 2023
November 1, 2023	November 14, 2023	November 28, 2023
November 22, 2023	December 5, 2023	December 19, 2023 <sup>^</sup>

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation. Please contact staff to confirm.

<sup>^</sup>Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

**Legislation Number:** PN0342-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Columbus Art Commission 2023 Hearing and Application Schedule

**Contact Name:** Lori Baudro

**Contact Telephone Number:** 614.645.6986 (o)

**Contact Email Address:** lsbaudro@columbus.gov

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) 645-8871 or e-mail zdjones@columbus.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

**Application Deadline**      **Hearing Dates\*\***  
(lsbaudro@columbus.gov)\*

December 22, 2022	January 18, 2023
January 19, 2023	February 15, 2023
February 16, 2023	March 15, 2023
March 23, 2023	April 19, 2023
April 20, 2023	May 17, 2023
May 25, 2023	June 21, 2023
June 22, 2023	July 19, 2023
July 20, 2023	August 16, 2023
August 24, 2023	September 20, 2023
September 21, 2023	October 18, 2023

October 19, 2023	November 15, 2023
November 23, 2023	December 20, 2023
December 21, 2023	January 17, 2024

Hearings are held in-person in room 204 at the Coleman Government Center, 111 N. High Street, Columbus, OH 43215 and the start time will be **5:30 PM**. Staff should be contacted before an application and materials are submitted electronically. Hard copy submissions are no longer needed.

\* If you have questions call 614.645.6986 (o).

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

**Legislation Number:** PN0343-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter:** Public Notice

**Type:**

**Notice/Advertisement Title:** Brewery District Commission 2023 Meeting Schedule

**Contact Email Address:** [BDC@columbus.gov](mailto:BDC@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^ ( <a href="mailto:BDC@columbus.gov">BDC@columbus.gov</a> )* 4:00p.m.	Business Meeting Date** (111 N. Front St. Hearing Rm. 204) 12:00p.m.	Hearing Date** (111 N Front St. Hearing Rm 204) 4:00p.m.
December 9, 2022	December 22, 2022	January 5, 2023
January 6, 2023	January 19, 2023	February 2, 2023
February 3, 2023	February 16, 2023	March 2, 2023
March 10, 2023	March 23, 2023	April 6, 2023
April 7, 2023	April 20, 2023	May 4, 2023
May 5, 2023	May 18, 2023	June 1, 2023
June 9, 2023	June 22, 2023	July 6, 2023
July 7, 2023	July 20, 2023	August 3, 2023
August 11, 2023	August 24, 2023	September 7, 2023
September 8, 2023	September 21, 2023	October 5, 2023
October 6, 2023	October 19, 2023	November 2, 2023
November 10, 2023	November 16^, 2023	December 7, 2023
December 8, 2023	December 21, 2023	January 4, 2024

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\* Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times

and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning). The Hearing time will change to 4:00 p.m. beginning in July 2020.

^Date change due to holiday

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

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**Legislation Number:** PN0344-2022

**Drafting Date:** 11/17/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Notice/Advertisement Title:** Big Darby Accord Advisory Panel 2023 Schedule

**Contact Email Address:** [planninginfo@columbus.gov](mailto:planninginfo@columbus.gov)

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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

Application Deadline^^  
([planninginfo@columbus.gov](mailto:planninginfo@columbus.gov))\*

Hearing Date\*\*  
(Franklin County Courthouse)+  
1:30PM

December 12, 2022  
January 16, 2023  
February 13, 2023  
March 13, 2023  
April 10, 2023  
May 15, 2023  
June 12, 2023  
July 10, 2023  
August 14, 2023  
September 11, 2023  
October 16, 2023  
November 13, 2023

January 10, 2023  
February 14, 2023  
March 14, 2023  
April 11, 2023  
May 9, 2023  
June 13, 2023  
July 11, 2023  
August 8, 2023  
September 12, 2023  
October 10, 2023  
November 14, 2023  
December 12, 2023

+ Meeting location: 373 S. High St., 25th Fl. - Room B

\* If you are unable to email, call 614-724-4437 to request alternative delivery options

\*\*Meetings subject to cancellation and locations subject to change. Please contact staff to confirm. Meeting dates, times and locations are also available at [www.columbus.gov/planning](http://www.columbus.gov/planning)

^Date change due to holiday.

NOTE: For application deadlines that fall within the same week as the regular meeting date, a grace period of one (1) week is available for applications heard at the previous month's Hearing. (i.e. An application heard at the June Hearing may be granted the grace period to make any applicable revisions and apply for the July Hearing.)

The grace period does not apply to months with additional weeks whereby the application deadline naturally falls at least one (1) week after the regular meeting.

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**Legislation Number:** PN0345-2023

**Drafting Date:** 12/5/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** Columbus Southside Area Commission December Date & Meeting Location Change

**Contact Name:** Katherine Cull

**Contact Telephone Number:** 614-645-5220

**Contact Email Address:** [KHCull@columbus.gov](mailto:KHCull@columbus.gov)

The Columbus Southside Area Commission is changing the date and location of their December meeting to Tuesday, December 19th at Barack Recreation Center (580 Woodrow Ave). The meeting will take place at 6:30 PM. For more information, please visit <https://cbusareacommissions.org/southside/>.

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**Legislation Number:** PN0346-2023

**Drafting Date:** 12/5/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** Far West Side Area Commission December Meeting Cancelled

**Contact Name:** Sharon Rastatter, FWSAC Chair

**Contact Email Address:** [srastatter.fwsac@gmail.com](mailto:srastatter.fwsac@gmail.com)

Due to a lack of agenda items, the Far West Side Area Commission has cancelled its December 12th Meeting. This meeting had been planned as a combination of their interim and full Area Commission meetings for December. They will now not meet in December at all. For more information, please visit [farwestsidecbus.org](http://farwestsidecbus.org).

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**Legislation Number:** PN0347-2023

**Drafting Date:** 12/6/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** West Scioto Zoning Walkthrough on 12/17  
**Contact Name:** Rita Cabral, WSAC Zoning Chair  
**Contact Email Address:** zoningchair.wsac@gmail.com

The West Scioto Area Commission Zoning Committee will hold a walkthrough of the property at 3400 Twin Creeks Drive on Sunday, December 17th, at 3:30 PM. Zoning application BZA23-108 has been submitted for a proposed apartment complex at this site, and the walkthrough will enable the committee to see how the project and associated structures will be situated on the site. For more information, please visit westsciotoarea.com.

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**Legislation Number:** PN0348-2023

**Drafting Date:** 12/6/2023

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter** Public Notice

**Type:**

Notice/Advertisement Title: City of Columbus December 19, 2023 Graphics Commission Meeting  
Contact Name: Jamie Freise  
Contact Telephone Number: 614-645-6350  
Contact Email Address: [jffreise@columbus.gov](mailto:jffreise@columbus.gov) <<mailto:jffreise@columbus.gov>>

**AGENDA**  
**GRAPHICS COMMISSION**  
**CITY OF COLUMBUS, OHIO**  
**DECEMBER 19, 2023**

The City Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15 of the City Codes.

The City Graphics Commission will hold a public hearing on the following zoning applications on **TUESDAY, DECEMBER 19, 2023 at 4:15 p.m.** at the **MICHAEL B. COLEMAN GOVERNMENT CENTER** at 111 North Front Street, Columbus, OH 43215 in the 2ND FLOOR HEARING ROOM. You can also monitor the hearing through the City of Columbus YouTube channel at the following link: <http://www.youtube.com/cityofcolumbus>

**SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING.** It is the rule of the Commission to withdraw an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Department of Building & Zoning Services 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 an interpreter, please call 614-645-6373 or TDD 614-645-3293

Further information may be obtained by visiting the City of Columbus Zoning Office website at <https://www.columbus.gov/bzs/zoning/Graphics-Commission/> or by calling the Department of Building and Zoning Services, Council Activities Section at 614-645-4522

**01.Application No.:GC23-037**

**Location:**3464 SULLIVANT AVE (43204), located on the north side of Sullivant Avenue, approximately 50 feet west of Derrer Road (010-121729; Greater Hilltop Area Commission).

**Existing Zoning:**C-4, Commercial District

**Request:**Variance(s) to Section(s):3372.706 (B), Graphics. To allow a ground sign with automatic changeable copy.3372.706 (C)(4,5), Graphics.To reduce the setback of a ground sign from 15 feet to



12.5 feet and to increase the height of a ground sign from 6 feet to 15 feet.

**Proposal:**To convert an existing pole-sign into a monument sign with automatic changeable copy.

**Applicant(s):**Sullivant Ave Inc. C/O John Tomlinson 4220 Orders Road Grove City, Ohio 43123

**Property Owner(s):**Applicant

**Attorney/Agent:**Tyler Sihhema 862 Cypresspoint Ct. Cinninnati, Ohio 45245

**Planner:**Adam Trimmer, (614) 645-1469; [ADTrimmer@Columbus.gov](mailto:ADTrimmer@Columbus.gov)

#### **02.Application No.:GC23-039**

**Location:**4881 ROBERTS RD. (43228), located at the southeast corner of Roberts Road and Walcutt Road (560-158144; Far West Side Area Commission).

**Existing Zoning:**CPD, Commercial Planned Development District

**Request:**Variance(s) to Section(s):3377.08 (B,2), Illumination and special effects.

To increase the portion of a ground sign displaying automatic changeable copy from 50% of the graphic area to 59.4%3377.17(A, B), Setback regulations for permanent on-premises ground signs.To reduce the setback of a ground sign from an abutting street (A) from 15 feet to 12 feet, and (B) from the side lot line of a residentially zoned district from 10 feet to 6.5 feet.

**Proposal:**To install a ground sign.

**Applicant(s):** Skilken Gold 4270 Morse Road Gahanna, Ohio 43230

**Property Owner(s):**Thomas A. McDowell, Trustee 5742 Dublin Road Dublin, Ohio 43017

**Attorney/Agent:**Zoning Resources, c/o Rebecca Green 84 Skyline Drive South Bloomfield, Ohio 43103

**Planner:**Jamie Freise, (614) 645-6350; [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)

#### **03.Application No.:GC23-041**

**Location:**1400 AUTO MALL DR. (43228), located on the east side of Auto Mall Drive, approximately 650 feet north of Georgesville Road (570-209898; Westland Area Commission).

**Existing Zoning:**M, Manufacturing District

**Request:**Graphics Plan(s) to Section(s):3382.07,Graphics plan To establish a graphics plan.

**Proposal:**To repeal and replace an existing graphics plan.

**Applicant(s):**GAPH LLC 3885 W. Dublin Granville Road Dublin, Ohio 43017

**Property Owner(s):**Applicant

**Attorney/Agent:**Rebecca Green Zoning Resources, 84 Skyline Drive S. Bloomfield, Ohio 43103

**Planner:**Dane Kirk, (614) 645-6350; [DEKirk@Columbus.gov](mailto:DEKirk@Columbus.gov)

#### **04.Application No.:GC23-042**

**Location:**1600 LONG ST. (43202), located located on the north side of E. Long Street, approximately 200 feet west of Woodland Avenue (010-023596; Near East Area Commission).

**Existing Zoning:**R-3, Residential District

**Request:**Variance(s) to Section(s):3376.09 (A, 4), Permanent signs for other uses in residential districts.

To increase the graphic area of a wall sign from 32 square feet to 92 square feet and to increase the maximum height of a wall sign from 8 feet to 10 feet 1 inch.

**Proposal:**To install a wall sign

**Applicant(s):**The Ohio State University WMC 660 Ackerman Road Columbus, Ohio 43202

**Property Owner(s):**State of Ohio fbo The Ohio State University 1534 N. High Street Columbus, Ohio 43201

**Attorney/Agent:**Signcom Inc, C/O Bruce Sommerfelt, Agent 527 W. Rich Street Columbus, Ohio 43215

**Planner:**Adam Trimmer, (614) 645 1469; [ADTrimmer@Columbus.gov](mailto:ADTrimmer@Columbus.gov)

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**Legislation Number:** PN0349-2023

**Drafting Date:** 12/6/2023

**Current Status:** Clerk's Office for Bulletin

Version: 1

Matter Public Notice  
Type:

Notice/Advertisement Title: City of Columbus December 19, 2023 Board of Zoning Adjustment Meeting  
Contact Name: Jamie Freise  
Contact Telephone Number: 614-645-6350  
Contact Email Address: [jffreise@columbus.gov](mailto:jffreise@columbus.gov) <<mailto:jffreise@columbus.gov>>

**AGENDA**  
**BOARD OF ZONING ADJUSTMENT**  
**CITY OF COLUMBUS, OHIO**  
**DECEMBER 19, 2023**

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.

The City BOARD OF ZONING ADJUSTMENT will hold a public hearing on the following zoning applications on **TUESDAY, DECEMBER 19, 2023 at 4:30 p.m.** at the **MICHAEL B. COLEMAN GOVERNMENT CENTER** at 111 North Front Street, Columbus, OH 43215 in the 2ND FLOOR HEARING ROOM. You can also monitor the hearing through the City of Columbus YouTube channel at the following link: <http://www.youtube.com/cityofcolumbus>

With the return to in-person meetings, we want to assure attendees that all safety precautions per the CDC will be followed. The hearing room will be cleaned after each meeting, attendees should feel comfortable wearing a mask if they choose. Free masks will be available for any participant. Spectator chairs and board members' chairs have been set up with social distancing in mind. We ask that chairs and tables not be moved to ensure a safe meeting environment for all who attend.

**SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING.** It is the rule of the Commission to withdraw an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Department of Building & Zoning Services 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 an interpreter, please call 614-645-6373 or TDD 614-645-3293

Further information may be obtained by visiting the City of Columbus Zoning Office website at <https://www.columbus.gov/bzs/primary/Zoning/> or by calling the Department of Building and Zoning Services, Public Hearings Section at 614-645-4522.

**01.Application No.:BZA22-075**

**Location:**1656 & 1664 WESTBELT DR. (43228), located at the southeast corner of Westbelt Drive and Equity Drive (560-210803; West Scioto Area Commission).

**Existing Zoning:**M-2, Manufacturing District

**Request:**Variance(s) to Section(s): 3367.15(A), M-2 manufacturing district special provisions. To reduce the minimum building setback from 50 feet to 10 feet along Westbelt Drive and to 15 feet along Equity Drive.

**Proposal:**To construct a small scale distribution center.

**Applicant(s):**Victor Nduaguba, PE 2320 Brisum Way Hilliard, Ohio 43026

**Attorney/Agent:**Applicant

**Property Owner(s):**Gabriel Obeng-Agyekum 223 Harness Way Delaware, Ohio 43015

**Planner:**Steven Smedley, 614-645-6130; [SFSmedley@Columbus.gov](mailto:SFSmedley@Columbus.gov)

**02.Application No.:BZA23-100**

**Location:**372 MILLER AVE. (43205), located at the northeast corner of Miller Avenue and East Rich Street (010-

041289; Near East Area Commission).

**Existing Zoning:**R-3, Residential District

**Request:**Variance(s) to Section(s):3321.05, Vision Clearance. To reduce the 30' x 30' vision clearance triangle to 12' x 12'. 3332.18(D), Basis of Computing Area. To increase the lot coverage from 50% to 62%.

3332.21(E), Building Lines To reduce the building setback from 10 feet along Miller Avenue to 5 feet and along East Rich street to 3 feet. 3332.25, Maximum Side Yards Required To reduce the total side yards from 7.48 feet (20%) to 3.7 feet (7%) 3332.27, Rear Yard. To reduce the rear yard from 25% of the total lot area to 20%.

**Proposal:** To construct a single-unit dwelling.

**Applicant(s):**R G Holdings, LLC, c/o Dave Perry 411 East Town Street, Floor 1 Columbus, Ohio 43215

**Attorney/Agent:**Plank Law Firm, c/o Donald Plank, Atty. 411 East Town Street, Floor 2 Columbus, Ohio 43215

**Property Owner(s):**R G Holdings, LLC, c/o Paul Ross 906 East Broad Street Columbus, Ohio 43206

**Planner:** Jamie Freise, (614) 645-6350; [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)

### **03.Application No.:BZA23-111**

**Location:**458 W. 3RD AVE. (43201), located on the north side of West 3rd Avenue, approximately 140 feet west of Michigan Avenue (010-008941; Harrison West Society).

**Existing Zoning:**R-2F, Residential District

**Request:**Variance(s) to Section(s):3332.25, Maximum side yards required. To reduce the maximum side yard setback from 2.8 feet to 0 feet.3332.26(F), Minimum side yards permitted. To reduce the minimum side yard setback from 3 feet to 0 feet. 3312.49, Required parking. To reduce the number of required parking spaces from 2 to 1.3312.25, Maneuvering. To allow a parking space to be split by a property line. 3321.29, Parking space. To reduce the size of a parking space split by a property line from 9 feet x 18 feet to 4.5 feet x 18 feet. 3321.05(B)(1), Vision Clearance. To reduce the clear vision triangle from 10 x 10 feet to 0 x 0 feet.

**Proposal:** To remodel an attached one-unit dwelling that was damaged by a fire and to construct a two-story addition at the rear of the structure.

**Applicant(s):**Residential Designed Solutions c/o Dominic Luppino, AIBD 7844 Flint Road Columbus, Ohio 43235

**Attorney/Agent:**None

**Property Owner(s):**Claire Adams 2118 Ashinger Boulevard Columbus, Ohio 43212

**Planner:**Steven Smedley, 614-645-6130; [SFSmedley@Columbus.gov](mailto:SFSmedley@Columbus.gov)

### **04.Application No.:BZA23-118**

**Location:**267 GREENWOOD AVE. (43201), located on the southeast corner of East Greenwood Avenue and North 5th Street (010-049274; Italian Village Commission).

**Existing Zoning:**R-4, Residential District

**Request:**Variance(s) to Section(s):3332.19, Fronting. To allow the dwelling on the northern lot to not face a public street. 3332.26 (F), Minimum side yard permitted. To reduce the side yard on the northern parcel from 5.75 feet to 3 feet at the west property line. 3332.05 (A)(4), Area district lot width requirements. To reduce the minimum required lot width of the southern parcel from 50 feet to 27.5 feet.

3332.15, R-4 area district requirements. To reduce the minimum required lot area from 6,000 square feet to 4,340.80 square feet on the north lot. 3332.26 (F), Minimum side yard permitted. To reduce the minimum side yard setback from 5.75 feet to 3 feet at the east property line and to 3 feet at the west property line on the southern parcel and to reduce the minimum side yard setback from 5.75 feet to 3 feet on the northern parcel. 3332.18 (D), Basis of computing area. To increase the maximum building lot coverage from 50% to 66.29%.

**Proposal:**To split a lot and construct 2 two-unit dwellings.

**Applicant(s):**Charles M. Paros (Architect) 357 W. 7th Avenue. Columbus, Ohio 43201

**Attorney/Agent:**Charles M. Paros (Architect) 357 W. 7th Avenue. Columbus, Ohio 43201

**Property Owner(s):**267 Greenwood Ave LLC 783 Summit Street. Columbus, Ohio 43215

**Planner:** Adam Trimmer, (614) 645-1469; [ADTrimmer@Columbus.gov](mailto:ADTrimmer@Columbus.gov)

### **05.Application No.:BZA23-123**

**Location:**1980 N. HIGH ST. (43201), located on the east side of North High Street, approximately 100 feet north of West 18th Avenue (010-026573; University Area Commission).

**Existing Zoning:**C-4, Commercial District

**Request:**Variance(s) to Section(s):3325.341, Building Design Standards To reduce the minimum

percentage of a store frontage to be occupied by transparent windows from 60% to 40%.

**Proposal:**To install an ATM on a building frontage.

**Applicant(s):**Marla Slater 3232 Newmark Drive Miamisburg, Ohio 45342

**Attorney/Agent:**Rachel E. Dreiding 520 S. Main Street, Ste. 2531 Akron, Ohio 44311

**Property Owner(s):**Applicant

**Planner:**Dane Kirk, (614) 645-7973; [DEKirk@Columbus.gov](mailto:DEKirk@Columbus.gov)

**06.Application No.:BZA23-127**

**Location:**3588 INDIANOLA AVE. (43214), located on the east side of Indianola Avenue, opposite Arden Road (010-071519; Clintonville Area Commission).

**Existing Zoning:**M, Manufacturing District

**Request:**Variance(s) to Section(s):3312.21, Landscaping and screening To reduce the number of required parking lot trees from 24 to 15. 3312.49, Minimum number of parking spaces required to reduce the number of required parking spaces from 276 to 257. 3321.01, Dumpster area to allow a dumpster to remain unscreened.

**Proposal:**To legitimize an existing parking layout after the termination of a previous mutual parking agreement.

**Applicant(s):**Joshua Wilhelm 2000 W. Henderson Rd. Ste. 500 Columbus, Ohio 43220

**Attorney/Agent:**Michael Maistros, Architect 4740 Reed Rd. Ste. 201 Upper Arlington, Ohio 43220

**Property Owner(s):**Suburban Centers Inc. 2000 W. Henderson Rd. Ste. 500 Columbus, Ohio 43220

**Planner:**Dane Kirk, (614) 645-7973; [DEKirk@Columbus.gov](mailto:DEKirk@Columbus.gov)

**07.Application No.:BZA23-129**

**Location:**7500 ALTA VIEW BLVD (43085), located on the southeast corner of Alta View Boulevard and Worthington Woods Boulevard (610-207094; Far North Columbus Communities Coalition).

**Existing Zoning:**M-2, Manufacturing District

**Request:**Special Permit(s) to Section(s):3365.21(b), Height and area regulations. To reduce the building setback from 50 feet to 5 feet.3312.49, Minimum numbers of parking spaces. To reduce the required number of parking spaces from 88 to 77.

**Proposal:**To allow a portable electrical substation to remain on-site.

**Applicant(s):** Cologix COL4, LLC 1601 19th Street, Suite 650 Denver Colorado, 80202

**Attorney/Agent:**Nicholas Ovens, Architect 5500 New Albany Road Columbus, Ohio 43054

**Property Owner(s):**Applicant

**Planner:**Adam Trimmer, (614) 645-1469; [ADTrimmer@Columbus.gov](mailto:ADTrimmer@Columbus.gov)

**08.Application No.:BZA23-130**

**Location:**6481 NICHOLAS DR. (43235), located on the west side of Nicholas Drive, approximately 320 feet south of Dublin-Granville Road (610-201959; Northwest Civic Association).

**Existing Zoning:**M-2, Manufacturing District

**Request:**Variance(s) to Section(s):3367.15(D), M-2 manufacturing district special provisions. To reduce the parking setback from 50 feet to 5 feet.

**Proposal:**To install parking spaces within the parking setback.

**Applicant(s):**Nicholas Property Holdings LLC 7235 Bride Water Boulevard Columbus, Ohio 43235

**Attorney/Agent:** Jackson B. Reynolds, Atty.37 West Broad Street, Suite 460 Columbus, Ohio 43215

**Property Owner(s):**Applicant

**Planner:**Steven Smedley, 614-645-6130; [SFSmedley@Columbus.gov](mailto:SFSmedley@Columbus.gov)

**09.Application No.:BZA23-131**

**Location:**2101 INTEGRITY DR. (43209), located on the south side of Integrity Drive, approximately 1200 feet east of Alum Creek Drive. (010-012582 and two others; Columbus Southside Area Commission).

**Existing Zoning:**M, Manufacturing District

**Request:**Variance & Special Permit(s) to Section(s): 3312.49, Minimum numbers of parking spaces required. To reduce the required number of parking spaces from 2 to 0.3389.12, Portable building.

To grant a Special Permit for a Portable Building.

**Proposal:**To allow a 720 sq.ft. portable building to be used an office.

**Applicant(s):**OSR Land, LLC

2101 Integrity Drive Columbus, Ohio 43209

**Attorney/Agent:**David Hodge, Atty. 8000 Walton Parkway, Ste. 260 New Albany, Ohio 43054

**Property Owner(s):**OSR Land, LLC & SMM Properties, LLC 2101 Integrity Drive Columbus, Ohio 43209

**Planner:**Jamie Freise, (614) 645-6350; [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)

**10.Application No.:BZA23-133**

**Location:**1790 CLEVELAND AVE. (43211), located at the northeast corner of East 19th Avenue and Cleveland Avenue (010-060315; South Linden Area Commission).

**Existing Zoning:**C-3, Commercial District

**Request:**Variance(s) to Section(s):3312.49, Minimum numbers of parking spaces required to reduce the number of additional required parking spaces from 120 spaces to 0. 3321.05, Vision clearance to reduce the clear vision triangle at the westernmost corner of the parking access onto E 19th Ave. from 10 feet to 4 feet, to legitimize an existing condition. 3312.27, Parking setback line to reduce the parking setback along E 19th Ave. from 10 feet to 0 feet to legitimize an existing condition.

**Proposal:**To legitimize an existing parking deficiency.

**Applicant(s):**Stanford Crocket, Jr. 6300 Alissa Lane Columbus, Ohio 43213

**Attorney/Agent:**None

**Property Owner(s):**Applicant

**Planner:**Dane Kirk, (614) 645-7973; [DEKirk@Columbus.gov](mailto:DEKirk@Columbus.gov)

**11.Application No.:BZA23-135**

**Location:**247 PRESTON ROAD (43209), located on the west side of Preston Road, approximately 99 feet north of Fair Avenue. (010-046137; No Area Commission).

**Existing Zoning:**RRR, Residential District

**Request:**Variance(s) to Section(s):3393.06, Location. To allow a swimming pool to be located in the front yard.

**Proposal:**To install a swimming pool.

**Applicant(s):**Timothy Smith 247 Preston Road Columbus, Ohio 43209

**Attorney/Agent:**Simplified Living Architecture, c/o Heidi Bolyard, Architect 6065 Frantz Road Dublin, Ohio 43017

**Property Owner(s):**Applicant

**Planner:**Jamie Freise, (614) 645-6350; [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)

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**Legislation Number:** PN0350-2023

**Drafting Date:** 12/7/2023

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

Notice/Advertisement Title: Columbus Building Commission Agenda - December 19, 2023

Contact Name: Toni Gillum

Contact Telephone Number: (614) 645-5884

Contact Email Address: [tmgillum@columbus.gov](mailto:tmgillum@columbus.gov)

*AGENDA  
COLUMBUS BUILDING COMMISSION  
DECEMBER 19, 2023*

**111 N. FRONT STREET  
2ND FLOOR HEARING ROOM  
1:00 p.m.**

*The City of Columbus Building Commission will hold a public hearing for the following agenda items on Tuesday, December 19, 2023, beginning at 1:00 P.M.*

1. **ROLL CALL**
2. **APPROVAL OF MEETING MINUTES**
3. **ADJUDICATION ORDER**      N/A
4. **PROPOSED CODE CHANGE**    *Plumbing Fixture Abandonments*
5. **APPLICATIONS FOR SPECIAL INSPECTOR**
6. **ADJOURNMENT**

**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) 645-7206 at least three (3) business days prior to the scheduled meeting or event to request an accommodation.*

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**Legislation Number:**      PN0352-2023

**Drafting Date:**          12/7/2023

**Version:**                1

**Current Status:**        Clerk's Office for Bulletin

**Matter**                    Public Notice  
**Type:**

**Notice/Advertisement Title:** 2024 Civilian Police Review Board Regular Meetings

**Contact Name:** Stephanie Brock

**Contact Telephone Number:** 614-645-9601

**Contact Email Address:** [Civilianreviewboard@columbus.gov](mailto:Civilianreviewboard@columbus.gov)

**Civilian Police Review Board  
2024 Board Meetings**

***NOTICE OF REGULAR MEETINGS***

***CIVILIAN POLICE REVIEW BOARD***

The Civilian Police Review Board, appointed and organized under the Charter of the City of Columbus, Section 235.02 is empowered promulgate rules and regulations, in accordance with C.C.C. Section 121.05 to carry out its duties as provided for in the Charter and in this chapter. In addition, said Commission exercises certain powers and duties as specified in Sections 235.03 of the Columbus City Charter.

Please take notice that meetings of the Civilian Police Review Board will be held at 2:00p.m. on the following dates and locations (unless otherwise posted):

**Tuesday, January 9, 2024 - 141 North Front Street, 43215**

**Tuesday, February 6, 2024 - 111 North Front Street, 43215**

**Tuesday, March 5, 2024 - 111 North Front Street, 43215**

**Tuesday, April 2, 2024 - 111 North Front Street, 43215**

**Tuesday, May 7, 2024 - 111 North Front Street, 43215**

**Tuesday, June 4, 2024 - 111 North Front Street, 43215**

**Tuesday, July 2, 2024 - 111 North Front Street, 43215**

**Tuesday, August 6, 2024 - 111 North Front Street, 43215**

**Tuesday, September 10, 2024 - 141 North Front Street, 43215**

**Tuesday, October 1, 2024 - 111 North Front Street, 43215**

**Wednesday, November 6, 2024 - 141 North Front Street, 43215**

**Tuesday, December 3, 2024 - 111 North Front Street, 43215**

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Board's Executive Assistant, Stephanie Brock. Telephone: (614-645-9601), or at Email: [Civilianreviewboard@columbus.gov](mailto:Civilianreviewboard@columbus.gov)

Brooke Burns, Chair  
Civilian Police Review Board

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**Legislation Number:** PN0369-2022

**Drafting Date:** 12/7/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** Board of Industrial Relations

**Contact Name:** William Gaines

**Contact Telephone Number:** 614-645-5436

**Contact Email Address:** [wgaines@columbus.gov](mailto:wgaines@columbus.gov)

The Board of Industrial Relations holds regular meetings on the 3rd Monday of each month at 1:30pm in Room #205, 111 N. Front St., Columbus Ohio. Due to observed holidays, the January meeting will be held on January 23, 2023 at 1:30pm, the February meeting will be held on February 27, 2023 at 1:30pm and the June meeting will be held on June 26, 2023 at 1:30pm.

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**Legislation Number:** PN0377-2022

**Drafting Date:** 12/14/2022

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter** Public Notice

**Type:**

**Notice/Advertisement Title:** Land Review Commission 2023 Schedule

**Contact Name:** Mark Lundine

**Contact Telephone Number:** 614-645-1693

**Contact Email Address:** malundine@columbus.gov

The following scheduled Land Review Commission meetings are subject to cancellation. Please contact a staff member to confirm.

111 N. Front St., Hearing Room 204

Columbus, OH 43215

9:00am

January 19

February 16

March 16

April 20

May 18

June 15

July 20

August 17

September 21

October 19

November 16

December 21

**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) 645-8871 or e-mail [zdjones@columbus.gov](mailto:zdjones@columbus.gov) at least three (3) business days prior to the scheduled meeting or event to request an accommodation.



**Rules and Regulations**  
Wage Theft Prevention and  
Enforcement Commission  
City of Columbus

# Rules and Regulations

Wage Theft Prevention and Enforcement Commission  
City of Columbus

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### Authority

Authority of the Wage Theft Prevention and Enforcement Commission to issue these Rules and Regulations is set forth in section 377.11 of the Columbus City Codes.

### Effective Date

These Rules and Regulations shall be effective on the tenth day following publication in the City Bulletin in accordance with section 121.05 of the Columbus City Codes.

### Definitions

Definitions, terms, phrases and words used in these Rules and Regulations shall have the same meaning as ascribed to them in Columbus City Codes, Chapters 377 and 2337, and are incorporated herein as if fully rewritten herein.

As used herein, "Administrative Coordinator" shall mean "Commission staff" as used in Columbus City Codes Chapter 377.

### Purpose

The purpose of these Rules and Regulations is to establish procedures to (among other things) (i) review financial incentive agreements and city contracts for goods and services including construction contracts to ensure that provisions required by Chapter 377 are included; (ii) receive complaints from residents, workers, and businesses regarding non-compliance with provisions of Chapter 377 and Chapter 2337; (iii) review, investigate and refer relevant matters to other appropriate entities for further investigation; and (iv) pursue remedies and impose sanctions for failing to timely submit reports and sworn statements as required by Chapter 377 and Chapter 2337.

## **Section 1 – Review of Agreements**

- 1.01 -** Upon written notice to the department, Administrative Coordinator shall receive and review any new versions of application forms for city contracts and financial incentive agreements to ensure that provisions required by Chapter 377 are included. Department shall provide copies of any such application forms within ten (10) days of submission of written request.
- 1.02 -** Administrative Coordinator shall conduct an annual review of applications for city contracts and financial incentive agreements to confirm that provisions required by section 377.14 are included. In accordance with section 377.14, such agreements shall include language substantially similar to the following:

Wage Theft Prevention and Enforcement. The City and the [Developer, Contractor, Grantee] acknowledge and agree that this Agreement is a “Financial Incentive Agreement” [a City contract for goods or services, a construction contract] as defined in Chapter 377 of the Columbus City Codes and the [Developer, Contractor, Grantee] agrees and covenants that it shall comply with all provisions of Chapter 377 of the Columbus City Codes and all Rules and Regulations promulgated by the “Wage Theft Prevention and Enforcement Commission” as that body is described in section 377.02.

## **Section 2 – Monitoring Agreements and Statements; Receipt and Referral of Complaints**

- 2.01 -** Upon written request by Administrative Coordinator, departments shall provide any executed city contract or financial incentive agreements as defined in Chapter 377 to the Administrative Coordinator for review to confirm compliance with Chapter 377. Department shall provide copies of such documents within ten (10) days of submission of written request.
- 2.02 -** Departments receiving applications for city contracts and financial incentive agreements, or receiving registrations or renewal applications under the process described in City Codes section 3905.01, shall provide form WT-1 (Wage Theft and Payroll Fraud Disclosure) to be completed and submitted along with the application. Departments receiving applications for city contracts and financial incentive agreements shall make available forms WT-5 (Independent Contractor Disclosure) and WT-6 (Report of Adverse Determination during Contract or Agreement), along with any other required forms, to be completed and submitted to the Commission by covered entities as described in city code sections 377.05 and 377.10.
- 2.03 -** A person that intends to or reasonably believes that it may become a covered entity under Chapter 377 shall, prior to entering into any agreement that would render the person a covered entity, disclose to the Wage Theft Prevention and Enforcement Commission (Commission) by filing form WT-1 (Wage Theft and Payroll Fraud Disclosure) with the Commission. Administrative Coordinator shall work with city departments to insert form WT-1 into their application processes as early as is practicable.
- 2.04 -** Any person who discloses an adverse determination pursuant to section 377.03(a) shall not enter into any agreement that would render the person a covered entity until after the next regularly scheduled meeting of the Wage Theft Prevention and Enforcement Commission and thereafter only if the person is not disqualified pursuant to section 377.03(e) and the Wage Theft Prevention and Enforcement Commission has not ordered a hearing pursuant to section 377.03(c).
- 2.05 -** Administrative Coordinator shall retain a copy of all Forms WT-1 (Wage Theft and Payroll Fraud Disclosure), WT-5 (Independent Contractor Disclosure), or WT-6 (Report of Adverse Determination during Contract or Agreement), and their electronic equivalents, filed with the Commission for a period of at least three (3) years, or the record retention schedule for the Department of Finance and Management, whichever is longer.

- 2.06 -** Upon receipt of a complaint (Form WT-2), Administrative Coordinator shall conduct a preliminary investigation to determine if the entity identified in the complaint is a Covered Entity. If the entity identified is determined to be a Covered Entity, or if the complaint is regarding a Hiring Party as defined in Chapter 2337, Administrative Coordinator shall proceed to a full investigation of the complaint as described in Section 6 of these rules and regulations.
- 2.07 -** If the Commission, in the course of performing its duties, discovers evidence or receives a complaint that a person has committed wage theft or payroll fraud, the Commission may refer the matter to the United States Department of Labor, the Ohio Department of Commerce, or any other appropriate entity for further investigation. Further, if the Commission, or Commission staff reasonably determines that any worker(s) that a covered entity is required to provide reporting on pursuant to section 377.10 (a)(1) may have been misclassified as an independent contractor, the Commission, or staff, may refer the worker(s) and/or the matter to the United States Department of Labor, the Ohio Department of Commerce, or any other appropriate entity for further investigation.
- 2.08 -** Any referrals made by the Commission shall follow any memorandum of understanding that may exist between the Commission and the appropriate entity.
- 2.09 -** Administrative Coordinator shall monitor the outcome of complaints referred to state or federal agencies. In doing so, Administrative Coordinator shall follow any Memorandum of Understanding that may exist between the Commission and the agency.
- 2.10 -** So long as it is not subject to an appeal, Administrative Coordinator shall report to the Commission the outcome of any complaints concerning a Covered Entity referred to a state or federal agency at the next meeting of the Commission.

### **Section 3 – Required Forms**

- 3.01 -** There shall be no fee for filing Form WT-1 (Wage Theft and Payroll Fraud Disclosure).

Failure to provide Form WT-1 disclosing an adverse determination by a person that intends to or reasonably believes that it may become a covered entity, a predecessor of the person, or an affiliate of the person in accordance with section 377.03 shall be subject to an investigation and hearing to determine if the prospective covered entity is qualified to enter into an agreement that would render it a covered entity.

Any person who discloses an adverse determination pursuant to section 377.03(a) shall not enter into any agreement that would render the person a covered entity until after the next regularly scheduled meeting of the Commission and thereafter only if the person is not disqualified in accordance with section 377.03(d)(2) and the Commission has not ordered a hearing pursuant to section 377.03(c).

If the Commission finds that the prospective covered entity is not qualified to enter into any agreement identified in section 377.03(e) pursuant to section 377.03(d)(2) by virtue of having an adverse determination against the person, a predecessor of the person, or an affiliate of the person during the preceding three (3) years, the prospective covered entity shall be placed on the adverse determination list and ineligible to enter into any agreement with the City for three (3) years from the date of the most recent adverse determination.

- 3.02 -** There shall be no fee for filing Form WT-2 (Complaint of Wage Theft or Payroll Fraud).

A covered entity shall be subject to investigation by Administrative Coordinator upon receipt of a complaint alleging that the covered entity has violated sections 377.03, 377.04, 377.05, 377.06, 377.07, 377.08, 377.09, or 377.10 of the city codes. A Hiring Party shall be subject to investigation by

Administrative Coordinator upon receipt of a complaint alleging that the Hiring Party has violated sections 2337.02, 2337.03, or 2337.04 of the city codes. Where there are reasonable grounds to believe that a violation has occurred and either a settlement agreement has not been reached or the allegation pertains to a violation of section 377.04, the matter shall be submitted to the Commission for a hearing to determine if a violation has occurred and the entity is subject to an adverse determination finding or a written decision in accordance with sections 377.02(h) and 377.02(i) in addition to other penalties and remedies authorized under Chapters 377 and 2337.

- 3.03 -** There shall be no fee for filing Form WT-3 (Covered Entity Adverse Determination Waiver Request Form) in accordance with sections 377.02(q)-(r).

In the absence of securing a waiver from the Commission in accordance with section 377.02(s), pursuant to section 377.04, no covered entity shall enter into any financial incentive agreement, an agreement for janitorial, maintenance, repair, property management, or landscaping services for a development location covered by a financial incentive agreement, or an agreement pursuant to or in satisfaction of a city contract for services, including construction contracts, with a person who has an adverse determination or is on the adverse determination list.

A final determination by the Commission that a covered entity has violated section 377.04(a) shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list pursuant to section 377.04(c) in addition to other penalties and remedies authorized under Chapter 377.

- 3.04 -** There shall be no fee for filing Form WT-4 (City Department Adverse Determination Waiver Request Form) in accordance with section 377.02(v).

In the absence of a city department securing a waiver from the Commission in accordance with section 377.02(v), pursuant to section 377.04, no covered entity shall enter into any financial incentive agreement, an agreement for janitorial, maintenance, repair, property management, or landscaping services for a development location covered by a financial incentive agreement, or an agreement pursuant to or in satisfaction of a city contract for services, including construction contracts, with a person who has an adverse determination or is on the adverse determination list.

A final determination by the Commission that a covered entity has violated section 377.04(a) shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list pursuant to section 377.04(c) in addition to other penalties and remedies authorized under Chapter 377.

- 3.05 -** There shall be no fee for filing Form WT-5 (Independent Contractor Disclosure). Form WT-5 shall be filed no later than twenty-one (21) days following the date on which the independent contractor commences work on behalf of the covered entity.

In circumstances where an independent contractor subcontracts to other independent contractors, independent contractors of covered entities shall provide to covered entity the same information regarding said subcontractors as defined in section 377.10(a). A covered entity receiving such a report shall provide a copy to the Commission within seven (7) days of receipt.

A final determination by the Commission that a covered entity has violated any of the reporting provisions of section 377.10 shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list pursuant to section 377.10(g) in addition to other penalties and remedies authorized under Chapter 377.

- 3.06 -** There shall be no fee for filing Form WT-6 (Report of Adverse Determination During Contract or Agreement).

A covered entity that enters into a financial incentive agreement or contract for goods or services, including a construction contract shall have a continuing obligation to report to the City any adverse determination on Form WT-6 in accordance with section 377.05.

A final determination by the Commission that a covered entity has violated a provision of section 377.05 shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list under section 377.05(c) in addition to other penalties and remedies authorized pursuant to Chapter 377.

- 3.08 -** If a covered entity fails to timely file Form WT-5 (Independent Contractor Disclosure) as described in section 377.10, Administrative Coordinator shall conduct an investigation to determine if a violation has occurred. If the Administrative Coordinator determines, based upon their investigation and after reviewing any information provided by the covered entity, that there are reasonable grounds to believe that a violation of section 377.10 has occurred, a hearing on the alleged violation shall be conducted by the Commission at a meeting open to the public. A final determination by the Commission that a covered entity has violated any of the reporting provisions of section 377.10 shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list.
- 3.09 -** If a covered entity fails to timely file Form WT-6 (Report of Adverse Determination during Contract or Agreement) as described in section 377.05, Administrative Coordinator shall conduct an investigation to determine if a violation has occurred. If the Administrative Coordinator determines, based upon their investigation and after reviewing any information provided by the covered entity, that there are reasonable grounds to believe that a violation of section 377.05 has occurred, a hearing on the alleged violation shall be conducted by the Commission at a meeting open to the public. A final determination by the Commission that a covered entity has violated any of the reporting provisions of section 377.05 shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list.
- 3.10 -** All investigations described in Section 3 of these Rules shall be governed by Chapter 377 and Sections 2 and 6 of these Rules.
- 3.11 -** All hearings described in Section 3 of these Rules shall be governed by Chapter 377 and Section 12 of these Rules.
- 3.12 -** The Commission, upon rendering an adverse determination or written decision for any violation of sections 377.03, 377.04, 377.05, 377.06, 377.07, 377.08, 377.09, 377.10, 2337.02, 2337.03, and 2337.04 may, where applicable, recommend to the City Attorney that the City pursue any remedies set forth in section 377.12.

## **Section 4 – Victims’ Rights**

- 4.01 -** No Covered Entity shall retaliate against a person who, in good faith, files a complaint (Form WT-2) with the Administrative Coordinator, who inquires about a suspected violation of Chapter 377 of the City Codes, or who cooperates with, or otherwise assists the Commission by providing information or testimony during preliminary or full investigations. This protection against retaliation also applies to persons who make internal or informal complaints or inquiries about suspected Chapter 377 violations.

For purposes of this Chapter, “retaliation” refers to any discrimination or adverse action taken by a Covered Entity against an employee or worker who engages in the activities contemplated to be redressed by Chapter 377. Retaliation also includes contacting or threatening to contact immigration authorities about a person’s suspected citizenship or immigration status, or the suspected citizenship or immigration status of a person’s family or household member.

Upon receiving a complaint (Form WT-2) alleging retaliation, Administrative Coordinator shall determine if the entity identified in the complaint is a covered entity. If the entity is a Covered Entity, Administrative Coordinator shall attempt to enter into a settlement agreement with the covered entity to cure the alleged retaliation before conducting a preliminary investigation. Any settlement agreement regarding alleged retaliation shall not influence the findings of a subsequent investigation. If the Covered Entity fails to enter into a settlement agreement, the Administrative Coordinator shall submit the matter to the Commission for a Hearing to determine if a violation has occurred.

If the entity identified is not a covered entity, Administrative Coordinator shall refer any complaint alleging retaliation to the relevant state or federal agency or a third party for assistance. For both covered and non-covered entities, the Administrative Coordinator and the Commission will use every enforcement tool available to address allegations of retaliation, remedy retaliatory violations, and make victims of retaliation whole.

- 4.02 -** In accordance with section 2337.04, no Hiring Party shall threaten, intimidate, discipline, harass, deny a work opportunity, retaliate against or discriminate against a freelance worker, or take any other action that penalizes or is reasonably likely to deter a freelance worker from exercising or attempting to exercise any right guaranteed under this chapter.

## **Section 5 – Adverse Determination Lists**

- 5.01 -** In accordance with section 377.02(l), the Commission shall vote at least once every sixty (60) days to publish and/or update the Adverse Determination List. Such update and publication shall be completed by the Administrative Coordinator.

## **Section 6 – Complaints and Investigations**

- 6.01 -** Upon receipt of a complaint (Form WT-2) alleging that a violation of sections 377.03, 377.04, 377.05, 377.06, 377.07, 377.08, 377.09 or 377.10 of the city codes has occurred, in accordance with section 377.02(g)-(h), Administrative Coordinator shall determine if the entity identified in the complaint is a “covered entity” as defined in section 377.01(e). If the entity identified in the complaint is not a covered entity, Administrative Coordinator shall inform the complainant and keep a record of the complaint. If the entity identified in the complaint is a “covered entity” as defined in section 377.01(e), Administrative Coordinator shall conduct an investigation in accordance with Chapter 377 to determine if a violation has occurred.



- (1) Where there are reasonable grounds to believe that a violation has occurred and either a settlement agreement has not been reached or the allegation pertains to a violation of section 377.04, the matter shall be submitted to the Commission for a hearing to determine if a violation has occurred.
  - (2) The covered entity shall be notified by the Administrative Coordinator of a pending investigation where it is determined that there are reasonable grounds to believe that a violation has occurred. Administrative Coordinator shall provide covered entity with notice that it may submit information to Administrative Coordinator relevant to whether the covered entity has violated Chapter 377.
  - (3) If Administrative Coordinator determines, based upon his investigation and after reviewing any information provided by the covered entity, that there are reasonable grounds to believe that a violation of section 377.03, 377.04, 377.05, 377.06, 377.07, 377.08, 377.09 or 377.10 has occurred, a hearing on the alleged violation shall be conducted by the Commission at a meeting open to the public.
- 6.02 -** Administrative Coordinator shall report all complaints received and any ongoing investigations at regularly scheduled commission meetings.
- 6.03 -** Administrative Coordinator shall retain a copy of all Forms WT-2 (Complaint of Wage Theft or Payroll Fraud) filed with the Commission for a period of at least three (3) years, or the record retention schedule for the Department of Finance and Management, whichever is longer.
- 6.04 -** A covered entity that has entered into a financial incentive agreement with the City, or is a contractor or subcontractor pursuant to a construction contract pursuant to, related to, or in furtherance of a financial incentive agreement or an agreement to provide janitorial, maintenance, repair, property management, or landscaping services at the development location covered by a financial incentive agreement must maintain payroll records for employees who perform work and services related to the development covered by the financial incentive agreement, and shall provide any such records to the Commission upon request within fourteen (14) business days of the request. A covered entity that has entered into a City contract for goods or services or an agreement to perform work or services in furtherance of a City contract for services must maintain payroll records for work and services performed by the covered entity's employees related to the City contract for goods or services or pursuant to or in satisfaction of the City contract for services and shall provide any such records to the Commission upon request within fourteen (14) business days of the request. The Commission may grant an extension to a covered entity based on a good faith demonstration of a hardship in providing said records in the proscribed time period. If a covered entity is performing work or services covered by O.R.C. § 4115.03 the Commission shall request payroll records from the City's prevailing wage coordinator all in accordance with section 377.07(a). A final determination by the Commission that a covered entity has violated section 377.07(a) by failing to provide requested records in a timely manner shall constitute an adverse determination and shall result in the covered entity being placed upon the adverse determination list pursuant to section 377.07(b).
- 6.05 -** A covered entity is required to authorize any agency or other investigative body investigating a complaint of wage theft or payroll fraud to release to the Commission any and all related evidence, findings, complaints and determinations that are not privileged or confidential and that are subject to public disclosure under the laws pertaining to that investigation, and to authorize the City to inquire into the status of the investigation and the final determination to the extent the investigation and final determination are not privileged or confidential and are subject to public disclosure under the laws pertaining to that investigation in accordance with section 377.08(a). A final determination by the Commission that a covered entity has violated section 377.08(a) shall constitute an adverse determination and shall result in the covered entity being placed on the adverse determination list pursuant to section 377.08(b).

- 6.06 -** The Commission may contact employees and independent contractors and/or a covered entity for additional information, including payroll records, necessary or relevant to making the determination required by section 377.10(e). Upon request, a covered entity shall provide additional information requested by the Commission within fourteen (14) days. Final determination by the Commission that a covered entity has violated any of the reporting provisions of section 377.10 shall constitute an adverse determination and shall result in the covered entity being placed upon the adverse determination list pursuant to section 377.10(g).
- 6.07 -** Upon receipt of a complaint (Form WT-2) alleging that a Hiring Party, as defined in Chapter 2337, has violated section 2337.02, 2337.03, or 2337.04 of the city code, Commission staff shall conduct an investigation to determine if a violation has occurred.
  - (1) Where there are reasonable grounds to believe that a violation has occurred and a settlement agreement has not been reached, the matter shall be submitted to the Commission for a hearing to determine if a violation has occurred.
  - (2) The Hiring Party shall be notified by Commission staff of a pending investigation where it is determined that there are reasonable grounds to believe that a violation has occurred. Commission staff shall provide a Hiring Party with notice that it may submit information to the Commission staff relevant to whether the Hiring Party has violated Chapter 2337 of the city code.
  - (3) If the Administrative Coordinator determines, based upon his investigation and after reviewing any information provided by the Hiring Party, that there are reasonable grounds to believe that a violation of section 2337.02, 2337.03, or 2337.04 has occurred, a hearing on the alleged violation shall be conducted by the Commission at a meeting open to the public.

**Section 7 – Settlements**

- 7.01 -** In accordance with sections 377.02(g)(1) and 377.02 (i)(1), Administrative Coordinator may work with a covered entity or Hiring Party to attempt to enter into a settlement agreement with a covered entity or Hiring Party to cure or compromise alleged violations so long as the settlement agreement brings the covered entity into compliance with Chapter 377 and/or Chapter 2337.
- 7.02 -** Administrative Coordinator shall present all staff proposed settlement agreements to the Commission for a vote at the next regular meeting of the Commission.
- 7.03 -** Administrative Coordinator shall retain a copy of all approved settlement agreements for a period of at least three (3) years, or the record retention schedule for the Department of Finance and Management, whichever is longer.
- 7.04 -** The Commission may approve any settlement agreement with a covered entity or Hiring Party to cure or compromise alleged violations by a simple majority vote of the members appointed to and serving on the commission. No settlement agreement may take effect without approval by the Commission.

**Section 8 – Waiver Process**

- 8.01 -** A covered entity, or any person that reasonably believes it may become a covered entity, may request a waiver from the Commission for an adverse determination which would result in its placement on the adverse determination list in accordance with section 377.02(q). A covered entity shall submit any such waiver request in writing on Form WT-3 (Covered Entity Adverse Determination Waiver Request Form.) Such written request shall state one or more of the following bases for the grant of said waiver:
  - (1) There has been a bona fide change in ownership of the covered entity or an affiliate since the adverse determination occurred;

- (2) The covered entity or an affiliate of the covered entity has taken significant and verifiable remedial actions to prevent any future adverse determinations from occurring and has complied with the requirements of the determination forming the basis of the adverse determination, including, as applicable satisfaction of the reporting obligation under this Chapter, providing the Commission with documents and information required by this Chapter, and the payment of required back pay, interest, penalties, and fines; and
- (3) Other factors that the covered entity believes are relevant to the granting of a waiver.

**8.02 -** The Commission shall consider all information submitted by a covered entity or person under section 377.02(q)(1)-(3) and may request additional information from a covered entity or person to determine whether to grant or deny a waiver.

The Commission may grant a waiver to a covered entity or person under section 377.02(q)-(s) by (i) removing a covered entity or person from the section 377.02(l) list; (ii) reducing the time period a covered entity or person is on the adverse determination list; (iii) or allowing a covered entity or person a one-time waiver to enter into a financial incentive agreement with the City, receive a financial incentive provided by the City, enter into a City contract for goods or services, enter into a construction contract pursuant to, related to, or in furtherance of a financial incentive agreement, enter into an agreement to provide janitorial, maintenance, repair, property management, or landscaping services at a development location covered by a financial incentive agreement, or enter into an agreement with a covered entity to perform work or services pursuant to or in satisfaction of a City contract for services.

A supermajority vote of the Commission shall be required to grant a waiver to a covered entity under section 377.02(q)-(s).

The Commission shall use best efforts to issue its decision on whether to grant or deny the request for waiver within thirty (30) days of receipt of all information from the covered entity or person that reasonably believes that it may become a covered entity or receipt of information requested by the Commission whichever date is later.

**8.03 -** A city department may request a waiver from the Commission on behalf of a covered entity that has an adverse determination which would result in its placement on the adverse determination list. The Commission may grant the waiver if the city department demonstrates that the inability of the city department to contract with said covered entity would result in serious disruption to the efficient and orderly operations of the City or the covered entity is a sole source provider of goods or services that are necessary for the efficient and orderly operations of the City.

The Commission shall consider all information submitted by a city department on behalf of a covered entity and may request additional information from the city department to determine whether to grant or deny a waiver.

A supermajority vote of the Commission shall be required to grant or deny a waiver requested by a city department on behalf of a covered entity under section 377.02(v).

The Commission shall use best efforts to issue its decision on whether to grant or deny the request for waiver within thirty (30) days of receipt of all information from the covered entity or person that reasonably believes that it may become a covered entity or receipt of information requested by the Commission whichever date is later.

## **Section 9 – Ineligibility of Covered Entity - Adverse Determination Against Person**

**9.01 -** A person that intends to or reasonably believes that it may become a covered entity shall, prior to entering into any agreement that would render the person a covered entity, disclose to the Commission on Form WT-1 (Wage Theft and Payroll Fraud Disclosure) any adverse determination against the person, a predecessor of the person, or an affiliate of the person during the preceding three (3) years. If the adverse determination is based on the conduct of an affiliate or predecessor, the Commission or Administrative Coordinator may request additional information concerning the relationship between the prospective covered entity and the affiliate or predecessor.

Any person who discloses an adverse determination pursuant to section 377.03(a) shall not enter into any agreement that would render the person a covered entity until after the next regularly scheduled meeting of the Commission and thereafter only if the person is not disqualified pursuant to section 377.03(e) and the Commission has not ordered a hearing pursuant to section 377.03(c).

## **Section 10 – Ineligibility of Covered Entity - Adverse Determination Against Affiliate or Predecessor**

**10.01 -** Upon disclosure of an adverse determination against an affiliate or predecessor, the Administrative Coordinator shall review the information supplied by the prospective covered entity, including any information concerning the relationship between the prospective covered entity and the affiliate or predecessor, and if the Administrative Coordinator determines after such review that it is not probable that the prospective covered entity and affiliate are part of a single, integrated enterprise for employment purposes under the standard set forth in section 377.03(d) or alter egos, or that it is not probable that the prospective covered entity was created by a de facto merger of a predecessor under the laws of the State of Ohio, then the staff shall recommend to the Commission that the prospective covered entity not be placed on the adverse determination list. If the Administrative Coordinator determines after such review that it is probable that the prospective covered entity and affiliate are part of a single, integrated enterprise for employment purposes or are alter egos, or that it is probable that the prospective covered entity was created by a de facto merger of a predecessor under the laws of the State of Ohio, or if the Administrative Coordinator is unable to make a determination due to the insufficiency of the information provided by the prospective covered entity, then the Administrative Coordinator shall recommend to the Commission that a hearing is necessary to determine if the prospective covered entity and affiliate are a single integrated enterprise for employment purposes pursuant to the standard set forth in section 377.03(d) or are alter egos under Ohio law, or if the prospective covered entity was created by a de facto merger of a predecessor under the laws of the State of Ohio, as applicable.

For purposes of section 377.03, whether an affiliate or predecessor is a single-integrated enterprise for employment purposes, or are alter egos of the prospective covered entity, or was created by a de-facto merger of the predecessor is a question of fact to be determined by the Commission. The Commission shall have the authority to conduct an administrative hearing to determine by a preponderance of the evidence if the prospective covered entity and affiliate are a single integrated enterprise for employment purposes, or are alter egos of the prospective covered entity, or was created by a de-facto merger of the predecessor.

In making such determination as to whether a single integrated enterprise exists the Commission shall consider (among other things): (1) the categories of customers and markets the covered entity and affiliate are engaged in; (2) interrelation of operations; (3) common paymaster; (4) common human resources functions; (5) common administration of employee benefits and pension plans; (6) centralized control of labor relations, (7) common management (8) common ownership or financial control; (9) whether the affiliate is engaged in business activities that are substantially similar to the prospective covered entity, etc. The Commission or Administrative Coordinator may request additional information

concerning the relationship between the prospective covered entity and the affiliate as deemed necessary to make a determination.

For purposes of section 377.03, an alter ego exists if a corporation lacks a separate identity from an individual or corporate shareholder. In making the determination of whether a corporation is an alter ego of another corporation, the Commission shall consider such factors including (among others): (1) use of the same office or business location; (2) employment of same employees and counsel; (3) commingling of corporate funds or other assets; (4) failure to maintain adequate corporate records of the separate entities; (5) inadequate capitalization of corporation; (6) failure to maintain arm's length relationships among related entities; etc. The Commission or Administrative Coordinator may request additional information concerning the relationship between the corporations as deemed necessary to make a determination.

For purposes of section 377.03, a de facto merger of a predecessor occurs where there is a continuation of the predecessor even though the successor corporation has purchased all or substantially all assets of the predecessor. In making the determination of whether a de facto merger of a predecessor has occurred, the Commission shall consider such factors including (among others): (1) continuity of predecessor enterprise (successor corporation retains same management personnel, location and assets); (2) continuity of ownership (predecessor shareholders become successor shareholders); (3) predecessor ceases ordinary business operations and (4) successor assumes predecessor obligations necessary for the uninterrupted continuation of the predecessor's business operations; etc. The Commission or Administrative Coordinator may request additional information concerning the relationship between the corporations as deemed necessary to make a determination.

## **Section 11 – Confidentiality**

**11.01** - All information submitted to or secured by the Commission and/or Administrative Coordinator is a public record under Ohio's Public Records Act, Revised Code Chapter 149. No claim of confidentiality of information received may be asserted.

## **Section 12 – Hearings**

**12.01** - Where, upon investigation by the Administrative Coordinator, there are reasonable grounds to believe that a violation of sections 377.03, 377.05, 377.06, 377.07, 377.08, 377.09, 377.10, 2337.02, 2337.03, or 2337.04 has occurred and either a settlement agreement has not been reached or the allegation pertains to a violation of 377.04, the matter shall be submitted to the Commission for a hearing to determine if a violation has occurred.

**12.02** - Where, the Administrative Coordinator is unable to make a determination due to the insufficiency of information provided, the Administrative Coordinator may recommend to the Commission that a hearing is necessary under any of the following circumstances: The person intends to become a covered entity and discloses an adverse determination of an affiliate or other related person for which the person that is the prospective covered entity may be liable as a single integrated employer, as an alter ego, or because the prospective covered entity engaged in or was otherwise the product of a de facto merger with the other person and the Administrative Coordinator has determined that such a finding is probable but is unable to make a determination due to sufficiency of information provided, Administrative Coordinator shall recommend to the Commission that a hearing is necessary.

**12.03** - Upon the decision to conduct a hearing, the Commission shall provide to the Hiring Party, person, or prospective covered entity notice of the hearing date, time, and location at least thirty (30) days prior to the hearing.. The hearing may be continued by the Commission if the person agrees to the continuance. In such a case, the hearing must be completed within one-hundred and twenty (120) days after the date the continuance is agreed to.

- 12.04** - All parties shall have the right to appear and be heard in person, and may be represented by an attorney at law. All such parties shall have the right to offer and present testimony and evidence relative to the matter and to cross examine adverse witnesses.
- 12.05** - The Commission Chairperson shall rule on matters of evidence. In so doing, the Chairperson is not strictly bound by the Ohio Rules of Evidence. The Commission may ask questions of any witness at any point in the proceedings and may set time and other limitations for each side in the presentation of evidence. A record of proceedings shall be kept. Parties seeking a stenographic record shall acquire such stenographic record at their own expense.
- 12.06** - All testimony shall be given under oath or affirmation. The following oath shall be given by the chairperson to all persons who give testimony or present evidence before the Commission: "Do you swear or affirm to tell the truth, the whole truth and nothing but the truth?"
- 12.07** - Each hearing shall proceed according to the following steps:
  - \* Attendance roll call for Commission members.
  - \* Introductions.
  - \* Declaration of what is being heard.
  - \* Reading of Conflict of Interest Statement.

"Is anyone present aware of a potential conflict of interest in this appeal?"

- \* City presents its case.
  - \* Respondent (or representative) presents Respondent's case.
  - \* Response time to Respondent's statements - City.
  - \* Response time to City's statements - Respondent.
  - \* Questions by the Commission members to both the City and Respondent.
  - \* City representative and Respondent are excused.
  - \* In the event additional information or Legal Counsel is needed, the Commission shall suspend the hearing until sufficient information is received. All parties will be notified of when the hearing will resume.
  - \* Commission members recess to discuss case in private.
- 12.08** - The standard of proof for a finding shall be by a preponderance of the evidence presented.
  - 12.09** - At the conclusion of the presentation of the matter, the Commission may either take the matter under consideration or move for an immediate decision.

The chairperson will record the vote and summarize the majority opinion on the final vote and signature sheet.

Members will review and sign the final vote and signature sheet (WT-7). The chairperson will be responsible for promptly submitting the summary sheet to the Administrative Coordinator, who will distribute a copy of the decision to the parties by ordinary mail within fifteen (15) days. In the case of a hearing pursuant to sections 377.03(d)(2)-(3), written findings of fact and conclusions of law shall be distributed to the parties along with a copy of the decision.

The Commission may request written proposed findings of fact and conclusions of law to be submitted by the parties at such time and in such format to be determined by the Commission.

If deemed appropriate by the Commission, a verbal decision may be given during the hearing. If so, a copy of the written final vote and signature sheet will still be mailed to the appellant.

The Commission shall use best efforts to render its final determination or written decision within thirty (30) days of the final hearing. Upon rendering a final determination or written decision, the Commission shall immediately forward its determination and opinion to the Administrative Coordinator, who shall send by ordinary mail a copy of the final determination or written decision and opinion no later than fifteen (15) days following the date of the final determination or written decision. The decision shall be effective immediately upon the decision of the Commission.

- 12.10** - Upon rendering a written decision finding a violation of sections 2337.02, 2337.03, or 2337.04 of the city code, the Wage Theft Prevention and Enforcement Commission may provide the impacted freelance worker with contact information for community legal services for consultation and review.
- 12.11** - Either party may appeal the Commission's final decision of an adverse determination or written decision pursuant to Ohio Revised Code Chapter 2506. The final decision of the Commission to issue an adverse determination or written decision is a final, appealable order.
- 12.12** - In addition to the official transcript of proceedings, the record of proceedings shall include the forms completed prior to and at the appeal hearing, any briefing submitted by the parties, any evidence or documentation submitted before the Commission, and the Commission's final determination.

### **Section 13 – Freelance Worker Protections**

- 13.01** - Whenever a Hiring Party retains the services of a freelance worker and the contract between them has a value of \$250 or more, either by itself or when aggregated with all contracts for services between the same Hiring Party and freelance worker during the immediately preceding 120 days, the contract shall be reduced to writing. The Hiring Party shall be responsible for reducing the contract to writing unless the parties mutually agree to the use a written contract provided by the freelance worker. The Hiring Party to the written contract shall retain, for a minimum of five years from the date of execution, a copy thereof.
- 13.02** - The written contract shall include all of the following:
  - (1) The name and mailing address of both the Hiring Party and the freelance worker;
  - (2) An itemization of all services to be provided by the freelance worker, the value of the services to be provided pursuant to the contract, and the rate and method of compensation; and
  - (3) The date on which the Hiring Party must pay the contracted compensation or, if not a specific date, no later than 30 days from when the contracted services are completed.
- 13.03** - Except as otherwise provided by law, the Hiring Party shall pay the freelance worker the contracted compensation either:
  - (1) On or before the date such compensation is due under the terms of the contract; or
  - (2) If the contract does not specify when the Hiring Party must pay the contracted compensation, no later than 30 days after the completion of the freelance worker's work under the contract.
- 13.04** - No Hiring Party shall, as a condition of timely payment, require a freelance worker to accept less than the contracted compensation.