



TO: Gahanna City Council
Clerk of Council

FROM: Priya D. Tamilarasan, Esq., City Attorney

Cc: Mayor Laurie A. Jadwin

DATE: July 31, 2026

SUBJECT: Department of Law – Request for Council Action (August 3, 2026 Committee of the Whole)

ACTION ITEMS

ACTION ITEM #1: REQUEST FOR ADOPTION OF ORDINANCE

Ohio Revised Code specifies a procedure and protocol in order for a subcontractor, material supplier, or laborer to place a lien on public funds due on a public improvement project. Pursuant to ORC 1311.26, this process begins with an affidavit by the subcontractor, material supplier, or laborer stating the claims and amount due and unpaid to be served upon the public authority. Upon receipt of such an affidavit, the public authority is mandated to escrow the funds subject to the lien and notify the principal contractor.

The principal contractor may then file a Notice to Dispute. They also have the option to file a Notice to Commence Suit with the claimant and post a surety bond in the amount of 150% of the claim in order to void the affidavit and discharge the funds. Such a surety bond must be approved in writing by the public authority.

The Ohio Revised Code does not require formal legislative approval of each such surety bond; however, in order for this to be approved in any alternative means, there must be a clear designation of such authority to approve it.

Due to the triggered deadlines provided in ORC 1311.26 and 1311.311, the approval of such bonds is usually time-sensitive and as such it is the recommendation of the Department of Law that Council authorize the Mayor to approve such surety bonds, as approved as to form by the City Attorney.

Conclusion:

The Department of Law respectfully requests Council approve the ordinance granting the Mayor authority to approve a surety bond filed pursuant to ORC 1311.311.

Requested Legislation and Funding:

Legislation Needed:	Ordinance
Emergency/Waiver:	N/A
Vendor Name:	N/A
Vendor Address:	N/A
Already Appropriated:	N/A
Supplemental/Transfer:	N/A