



# City of Columbus

## Legislation Report File Number: 3197-2022

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

**File ID:** 3197-2022 **Type:** Ordinance **Status:** Council  
Office for

Signature

**Version:** 1 **\*Committee:** Rules & Reference Committee  
**File Name:** Food and/or Beverage and Equipment for a Public **File Created:**  
11/09/2022

Purpose

### Final Action:

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:**

**Floor Action (Clerk's Office Only)**

### Mayor's Action

### Council Action

Mayor	Date	Date Passed/ Adopted	President of Council
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Veto	Date	City Clerk
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### Title:

To amend Chapter 329 of the Columbus City Codes to authorize the purchase of food, beverages, and equipment for a public purpose.

**Sponsors:** Emmanuel V. Remy



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### Attachments:

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	12/1/2022	ATTORNEY APPROVER	Approved	12/2/2022

Notes: Inb

### History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	12/05/2022	Read for the First Time				
1	Columbus City Council	12/12/2022	Approved				Pass

**ODI:** Following the review and approval, when required, the Office of Diversity and Inclusion certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

### Explanation

Columbus City Council and various City Departments have a need to purchase food and/or beverage items for various programs and events throughout the year. Additionally, there is need for equipment within municipal facilities for the preparation and storage of food and/or beverages by municipal employees while at work in a municipal facility. This ordinance authorizes the purchase of food and/or beverage items, as well as the procurement of equipment for preparing or storing food which serve the public purpose of protecting health and improving lives.



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Columbus City Council and City departments routinely host programs and events where public attendance and participation is solicited. It is common for these events to occur during evening hours or during times in which meals or snacks would facilitate public attendance and engagement. This legislation is presented as 30 day legislation.

### Title

To amend Chapter 329 of the Columbus City Codes to authorize the purchase of food, beverages, and equipment for a public purpose.

### Body

**WHEREAS**, the health and welfare of residents of the City of Columbus, the public at large, and municipal officers and/or employees is paramount; and

**WHEREAS**, enhancing public engagement, facilitating public meetings, and providing for the efficient operation of the city serves a public purpose; and

**WHEREAS**, the ability to provide food, refreshments, snacks, meals, mementos, or other like amenities and to rent a site or venue helps to facilitate community programs and events sponsored by the City; and

**WHEREAS**, the ability to procure equipment for the purpose of storing or preparing food, beverages, refreshments, meals, or other like amenities for municipal officers or municipal employees at a municipal facility is necessary; **NOW, THEREFORE**,

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

**Section 1.** That Chapter 329 be amended by the enactment of new sections 329.35 and 329.351 to read as follows:

#### **329.35 - Purchase of food and beverages for a public purpose**

(A) The authorizations in this section are granted for the public purpose of better providing for the health and welfare of residents of the City of Columbus, the public at large, and municipal officers and/or employees by enhancing public engagement, facilitating public meetings, and providing for the efficient operation of the city.

(B) Absent any existing restrictions and/or prohibitions on the use of funds for this purpose, funds may



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be expended, and the expenditure is declared to be a public purpose, in order to provide food, refreshments, snacks, meals, mementos, or other like amenities and, if necessary, to rent a site or venue for the following:

- (1) Community programs and events sponsored by the City; and
- (2) Events honoring employees for work-related achievements and/or contributions to the community.
- (C) The Director of the Department of Finance and Management is authorized to review and approve contracts with vendors to obtain the food, refreshments, snacks, meals, mementos, or other like amenities and to rent sites or venues under division (B) of this section, payable from funds appropriated for this purpose, so long as the expenditure meets both of the following criteria:
  - (1) The expenditure is integral to the successful execution or completion of a program, event, or engagement; and
  - (2) The expenditure is not manifestly arbitrary or unreasonable, as prescribed by the rules promulgated under Section 329.35(E).
- (D) The Director of the Department of Finance and Management, or the Director's designee, shall review all expenditures of funds for the procurement of food, refreshments, snacks, meals, mementos, or other like amenities and to rent sites or venues as provided for in division (B) to assure compliance with the criteria outlined in division (C). No funds shall be expended under this section without the prior, written authorization of the Director of the Department of Finance and Management and no such authorization shall be given unless the request is found by the Director to comply with the criteria listed in divisions (B) and (C).
- (E) The Director of the Department of Finance and Management is hereby empowered to adopt, promulgate, and enforce rules and regulations related to the administration and enforcement of the provisions of this section, and which shall establish, but are not limited to, the following standards:
  - (1) A per-person, per-meal cost not to exceed the applicable per diem by meal established by location as set by the Federal General Services Administration;
  - (2) Maximum allowable delivery fees, services charges, and gratuities;
- (F) To be effective, the rules and regulations promulgated by the Director pursuant to this section must be filed with the City Clerk and approved by ordinance of Council.
- (G) The procurement process for food, beverages, refreshments, snacks, meals, mementos, or other like amenities shall be as otherwise provided for in this chapter.
- (H) The use of funds under this section to procure alcoholic beverages is strictly prohibited.

### **329.351 - Purchase of equipment for public purpose**

The use of funds to procure equipment including, but not limited to, refrigerators, freezers, microwaves, coffee makers, or other related equipment acquired for the purpose of storing or preparing food, beverages, refreshments, meals, or other like amenities for use by municipal officers or employees of the municipality at a municipal facility constitutes a permissible public purpose and shall be allowable so



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long as the purchase otherwise complies with Chapter 329 of the Columbus City Codes.

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.