

OHIO PUBLIC FACILITIES COMMISSION

Minutes of February 12, 2019 Meeting

The Ohio Public Facilities Commission held a meeting commencing at 3:30 p.m. on Tuesday, February 12, 2019, in the 35th Floor Conference Room, Office of Budget and Management, James A. Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio, pursuant to notice of meeting given by the Secretary pursuant to the Bylaws.

[Copies of the items marked * are attached hereto and made a part of these minutes.]

Pursuant to the Bylaws, Mr. Donahue presided as Chair of the meeting and called the meeting to order.

Mr. Scurlock reported that, pursuant to Section 151.02 of the Revised Code and Section 2.1 of the Bylaws, the following new written designations were filed with the Secretary since the last meeting: Jonathan Azoff and Lisa Eisenberg for the Treasurer of State; Michael Grodhaus, Brenda Rinehart and Benjamin Marrison for the Attorney General; Michael J. Hall and Matthew J. Donahue for the Governor; Katherine Nickey and Kimberly Burns for the Secretary of State; Timothy S. Keen and Sloan T. Spalding for the Auditor; and Kurt Kauffman and Larry Scurlock for the Director of Budget and Management.

Upon roll call, the Chair declared a quorum to be present. The following designees of the members of the Commission, eligible to vote at the meeting, were present during the meeting:

Matthew Donahue, Office of the Governor
Jonathan Azoff, Office of Treasurer of State
Keith Faber, Auditor of State
Katherine Nickey, Office of Secretary of State
Michael Grodhaus, Office of the Attorney General
Kimberly Murnieks, Office of Budget and Management

Among others present were Kurt Kauffman, Larry Scurlock (Assistant Secretary) and Amber Teitt (Office of Budget and Management); Lisa Eisenberg and Masha Soprunova (Treasurer of State); from Bond Counsel, Eugene Killeen (Tucker Ellis LLP); and from Issuer/Disclosure Counsel, Allison Binkley and Anthony Core (Squire Patton Boggs (US) LLP).

Mr. Scurlock filed the certificate* of compliance with the Commission's rule for notification of meetings to the public and news media.

Mr. Donahue then requested the minutes of the Commission's October 23, 2018 meeting be submitted for approval. Ms. Murnieks then moved, seconded by Mr. Azoff, to approve those minutes. There being no discussion, upon roll call, the motion was approved as follows: Ayes – Donahue, Azoff, Faber, Nickey, Grodhaus and Murnieks; Nays – None. The Chair declared the motion passed and the minutes approved.

At the request of the Chair, Mr. Azoff then presented to the Commission the tabulation* of bids received until 10:30 a.m. for the State of Ohio \$50,000,000 Conservation Projects General

Obligation Bonds, Series 2019A, for which the State has received the good faith deposit from the winning bidder in the amount and manner specified in the Official Notice of Sale.

There was then presented to the Commission completed Resolution No. 2019-1*, entitled "Series Resolution Providing for the Competitive Sale and Issuance of \$50,000,000 State of Ohio Conservation

RESOLUTION NO. 2019-1
SERIES RESOLUTION
(CONSERVATION 2019A)

Projects General Obligation Bonds, Series 2019A." It was moved by Mr. Grodhaus, and Ms. Murnieks seconded the motion, that Resolution No. 2019-1 be adopted. Upon roll call, the motion was approved as follows: Ayes – Donahue, Azoff, Faber, Nickey, Grodhaus and Murnieks; Nays – None. The Chair declared the motion passed and Resolution No. 2019-1 adopted.

At the request of the Chair, Mr. Kauffman then made a presentation* summarizing the responses to the Commission's Request for Qualifications for Financial Advisory Services and presented the staff recommendation to designate (i) Acacia Financial Group, PFM Financial Advisors, and Public Resources Advisory Group as firms qualified to serve as financial advisor on Commission bond sales, and (ii) Swap Financial Group as the firm qualified to serve as financial advisor on Commission interest rate exchange agreements. Following several questions from Auditor Faber, Ms. Murnieks made the motion to designate (i) Acacia Financial Group, PFM Financial Advisors, and Public Resources Advisory Group as firms qualified to serve as the Commission's financial advisor for general obligation bond issuances and debt management work, and (ii) Swap Financial Group as the firm qualified to serve as the Commission's interest rate swap and derivative products advisor, each through March 31, 2023, and to authorize the Secretary to enter into agreements reflecting the terms of the RFQ, which was seconded by Mr. Grodhaus. Upon roll call, the motion was approved as follows: Ayes – Donahue, Azoff, Faber, Nickey, Grodhaus and Murnieks; Nays – None. The Chair declared the motion passed.

After a brief presentation by Mr. Scurlock regarding the draft* previously distributed to the members and designees for review and comment, Mr. Azoff moved, seconded by Mr. Faber, to approve the release of the Request for Qualifications for Legal Counsel Services on Commission Bond Sales and Interest Rate Exchange Agreements for the period from July 1, 2019 to June 30, 2023. Upon roll call the motion was approved as follows: Ayes – Donahue, Azoff, Faber, Nickey, Grodhaus and Murnieks; Nays – None. The Chair declared the motion passed.

After a presentation by Mr. Scurlock, Mr. Grodhaus moved, seconded by Ms. Nickey, to (i) amend and approve Commission Rule 151-1-01* (which authorizes posting of notices of Commission meetings on the Commission's page on the Office of Budget and Management website and the giving of notices of those meeting by email), and (ii) authorize the Secretary or Assistant Secretary of the Commission to make all necessary and appropriate arrangements for and to file that rule pursuant to Section 111.15 of the Revised Code. The motion was approved on roll call as follows: Ayes – Donahue, Azoff, Faber, Nickey, Grodhaus and Murnieks; Nays – None.

There being no further business, the meeting was adjourned.


Secretary

\$50,000,000.00
STATE OF OHIO
Conservation Projects GO Bonds
2019A

BID TABULATION SUMMARY

Time Of Sale:	10:30:00 AM		
Date of Sale:	02/12/19		
Principal Amount	50,000,000.00		
First Pricipal Payment	3/1/2020		
Term of Issuance	12	years	
Number of Bids Received	19		
TIC Range	2.186090% min		2.324545% max
Net interest cost range	8,254,602.15 min		8,733,567.57 max

Lowest bid based on True Interest Cost			
Winning Bid	Robert W. Baird & Co., Inc.	TIC	2.186090%
Cover Bid	Janney Montgomery Scott LLC	TIC	2.205589%

Rates bid for each year of maturity are as follows:

03/01/20	3.000%	03/01/27	4.000%
03/01/21	3.000%	03/01/28	4.000%
03/01/22	2.000%	03/01/29	4.000%
03/01/23	3.000%	03/01/30	4.000%
03/01/24	2.000%	03/01/31	5.000%
03/01/25	2.000%		
03/01/26	3.000%		

Bids Received	Spread	TIC%	NIC%	Gross Interest Cost	Premium (Discount)	Net Interest Cost
1 Robert W. Baird & Co., Inc.	-	2.186090%	2.349340%	13,023,075.00	4,768,472.85	8,254,602.15
2 Janney Montgomery Scott LLC	1.95	2.205589%	2.362619%	13,201,149.17	4,899,891.05	8,301,258.12
3 UMB Bank, N.A.	3.32	2.219257%	2.372159%	13,214,554.17	4,879,774.63	8,334,779.52
4 Hutchinson, Shockey, Erley & Co.	3.43	2.220363%	2.404228%	13,402,339.33	4,954,882.55	8,447,456.78
5 J.P. Morgan Securities LLC	3.5	2.221082%	2.377666%	13,201,149.17	4,847,020.50	8,354,128.67
6 Citigroup Global Markets Inc.	3.91	2.225205%	2.399472%	13,309,973.33	4,879,227.53	8,430,745.78
7 Fifth Third Securities, Inc.	4.	2.226117%	2.385444%	13,360,915.83	4,979,460.85	8,381,454.98
8 RBC Capital Markets	4.41	2.230151%	2.389739%	13,396,548.33	5,000,000.00	8,396,548.33
9 UBS Financial Services Inc.	4.83	2.234376%	2.392625%	13,350,167.50	4,943,479.55	8,406,687.95
10 Morgan Stanley & Co, LLC	5.03	2.236423%	2.388032%	13,360,992.50	4,970,444.55	8,390,547.95
11 Hilltop Securites	5.38	2.239870%	2.399175%	13,396,548.33	4,966,848.63	8,429,699.68
12 BNYMellon Capital Markets	5.88	2.244931%	2.393217%	13,215,690.00	4,806,923.25	8,408,766.75
13 TD Securities	6.16	2.247704%	2.404641%	13,307,788.33	4,858,881.45	8,448,906.88
14 Goldman Sachs & Co. LLC	6.72	2.253265%	2.408859%	13,201,149.17	4,737,422.10	8,463,727.07
15 Wells Fargo Bank, National Association	7.31	2.259177%	2.426145%	13,236,468.33	4,712,004.95	8,524,463.38
16 Piper Jaffray	7.34	2.259533%	2.418240%	13,396,548.33	4,899,858.90	8,496,689.43
17 KeyBanc Capital Markets	7.9	2.265139%	2.423670%	13,396,548.33	4,880,783.15	8,515,765.18
18 Jefferies LLC	8.71	2.273200%	2.442934%	13,472,859.17	4,889,405.25	8,583,453.92
19 Bank of America Merrill Lynch	13.85	2.324545%	2.485658%	13,698,586.67	4,965,019.10	8,733,567.57



Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

I. Process Review

- The Commission authorized the release of a Request for Qualifications (RFQ) for financial advisory services at its meeting on October 23, 2018.
- The RFQ was released on December 11, 2018. An advertisement was placed in *The Bond Buyer*, a nationally recognized municipal finance publication, running for one day in the print edition and for two weeks in the online edition. Additionally, the RFQ was advertised and available on the OBM website.
- The deadline for submission was Friday, January 18, 2019 at 1:00 p.m.
- During the response window, no direct communication on the RFQ was allowed between financial advisory firms and Commission members, designees, or staff.
- Questions regarding the RFQ were to be submitted via e-mail and were to be responded to by posting a publicly-available response on the OPFC website. No questions were submitted.

II. Scope of Services

Debt Issuance and Management

- Evaluate and make recommendations on an overall financing plan that is expected to achieve the lowest cost of borrowing.
- Assist and make recommendations on all aspects of each debt issuance, including the method of sale, structuring, terms, redemption provisions, marketing, timing, and pricing.
- Assist in the preparation of the bond sale official statement, the financing schedule, distribution list, and other necessary documents.
- Analyze and recommend pricing levels based on historical pricings and comparable credits.
- Assist in the qualification and selection of legal counsel, underwriters/investment bankers, and other professionals.
- Provide final official numbers/cash flows including final pricing opinion and analyses, and other relevant data.
- Monitor and evaluate refunding opportunities with respect to outstanding Commission obligations.
- Provide advice and guidance on post-issuance compliance, including continuing disclosure, GASB, or any other state or Federal regulations affecting the State's debt.
- Assist in reviewing and updating the State's debt policies.



Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

Swaps and Derivatives

- Advise and assist the Commission in evaluating interest rate swap and derivative opportunities, including amendments to our existing swaps.
- For new swaps or derivatives: i) analyze and recommend pricing levels and fair counterparty compensation spreads; and ii) review and negotiate swap documents to ensure favorable terms and conditions.
- Provide weekly valuations and threshold valuation notifications for each of the Commission's outstanding interest rate swap agreements.
- Assist in the preparation and maintenance of end-of-fiscal-year derivative disclosure reports required for GASB 53 compliance.
- Assist in reviewing and updating the State's interest rate swap and derivative policies.

III. Proposals Received

- Seven proposals were received – four firms submitted solely for bond advisor, two firms submitted to serve as bond and swap advisor, and one firm submitting solely for swap advisor.
- Bond Proposals:
 - Crowe – a public accounting and advisory firm headquartered in Chicago.
 - Public Resources Advisory Group – an independent financial advisory firm headquartered in New York, NY.
 - Sycamore Advisors – an independent financial advisory firm headquartered in Indianapolis.
 - Umbaugh & Associates – a financial services, accounting, and advisory firm headquartered in Indianapolis.
- Bond and Swap Proposals:
 - Acacia Financial Group – an independent financial advisory firm headquartered in Marlton, NJ.
 - PFM Financial Advisors – an independent financial advisory firm headquartered in Philadelphia, PA.
- Swap Proposals:
 - Swap Financial Group -- an independent derivative advisory firm headquartered in South Orange, NJ.
- Each responding firm met the minimum qualifications set forth in Section II. of the RFQ, the submission requirements set forth in Section IV. of the RFQ and executed the required legal certifications (see Exhibit A).
- The proposals were distributed to each Commission member on January 23, 2019.



Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

IV. Evaluation Process and Criteria

- OBM staff, with input from the Treasurer of State's office, evaluated each of the proposals based on the evaluation criteria set forth in Section VI. of the RFQ and listed below.

Evaluation Criteria

- Capability of the firm to perform the required scope of services, including:
 - Experience in serving as the advisor on large municipal bond and swap/derivative financings;
 - Capacity to provide technical financial analyses for bond issuances and derivative products;
 - Experience and ability to effectively structure transactions and negotiate pricings to lower the State's cost of borrowing; and
 - Ability to assist in the ongoing management of the State's outstanding debt and derivative products.
- Qualifications, education and experience of the individuals to be assigned to the Commission.
- Commitment to Ohio:
 - Financial advisory experience with Ohio issuers; and
 - Physical presence within the State.
- Each question and corresponding responses were mapped to these evaluation criteria. Staff collectively evaluated the proposals to arrive at a consensus result and recommendation.

V. Result and Recommendation

- The Commission was fortunate to receive responses from top nationally-ranked and highly regarded firms.
- The Commission has a large and diverse debt portfolio consisting of fixed and variable rate bonds and interest rate swaps. Moreover, its full faith and credit obligations carry the overall credit rating of the State of Ohio.
 - Consequently, we believe the Commission merits the top-ranked firms that have both breadth and depth in their coverage.
- Staff's evaluation of the responding firm's proposals weighted the experience, qualifications, and resources and well as the quality of the ideas and information provided with respect to the identified evaluation criteria.
- A summary of each firm's state-level and Ohio specific municipal bond experience is presented in Exhibit B.



Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

Bond Advisor Recommendation

- Staff recommends qualifying Acacia Financial Group, PFM Financial Advisors, and Public Resources Advisory Group to serve as financial advisors on the Commission's debt issuances.
 - Each firm has substantial experience with respect to the municipal bond market and possesses the ability to provide technical resources and financial analyses of the highest caliber.
 - The qualifications and experience of the personnel to be assigned and available to the Commission are extensive and indicate an ability to perform the requisite services with utmost competence.
 - Acacia Financial Group and PFM Financial Advisors have a demonstrated history and continuing commitment to the State of Ohio.
 - Public Resources Advisory Group has extensive experience with state-level issuers such as the Commission.
 - Taking into account the expected number of annual bond transactions, keeping the selection to three firms ensures those firms will remain active and engaged outside of periodic bond transactions.
- Appointments to specific bond issuance transactions would be made on a deal-by-deal basis.

Swap Advisor Recommendation

- Staff recommends appointing Swap Financial Group to serve as the swap and derivative advisor to the Commission.
 - Unparalleled experience with respect to the evaluation, management, and execution of interest rate swaps.
 - Extensive experience with setting swap pricing levels and spreads, and drafting documentation to ensure terms and conditions most beneficial to the Commission and consistency with the State's Debt and Interest Rate Risk Management policy.
 - A leader in preparing or advising issuers in the preparation of derivative disclosure reports as required by GASB 53.
- Staff recommends the appointment of one firm given that the number of new swaps to be considered by the Commission is expected to be limited.



Final

Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

Exhibit A
Submission Requirements

		Acacia Financial Group	Crowe	PFM Financial Advisors	Public Resources Advisory Group	Swap Financial Group	Sycamore Advisors	Umbaugh & Assoc.
Financial Advisor	Applied for Bond Advisor		X		X		X	X
	Applied for Bond and Swap Advisor	X		X				
	Applied for Swap Advisor					X		
Submission of Proposal	Received by 1:00 pm	X	X	X	X	X	X	X
	12 pages or less	X	X	X	X	X	X	X
	10 Hard Copies, One Electronic Copy	X	X	X	X	X	X	X
Certification & Info Sheet	Legal Certifications	X	X	X	X	X	X	X
	Information Sheet	X	X	X	X	X	X	X



Final

Ohio Public Facilities Commission
Financial Advisory Services RFQ
STAFF REPORT AND RECOMMENDATION

Exhibit B
Summary of National and Ohio Experience

Bond Advisory

Firm	Bonds Advised Since January 1, 2016 (# of series/par amount > \$50M)					Ohio Presence		
	Fixed Rate State-Level	Variable Rate State- Level	Ohio State- Level	Ohio Non- State Level	Major Issuers	# of Offices	# of Employees	# of Municipal Advisors
					State-Level Ohio			
Acacia Financial Group	110 / \$26.7B	7 / \$1.3B	14 / \$2.1B	-	AK, CT, IL, MA, D.C., WI; IL Fin. Auth. NY Housing. NJ Econ Dev. Auth.	1	as needed	-
Crowe	6 / \$861M	-	-	-	IN Fin. Auth., IN Bond Bank	2	205	0
Public Resources Advisory Group	213 / \$100B	20 / \$2.2B	-	-	CA, CT, GA, IL, MA, MD, MN, NH, NM, NY, NY Dorm. Auth., OR, RI, SC, VA, VT, WV	-	-	-
PFM Financial Advisors	189 / \$46.9B	16 / \$2.7B	43 / \$5.5B	12 / \$891M	CT, DE, HI, IL, IA, MA, MN, NV, PA, NV, TN, WI	2	4	3
Sycamore Advisors	6 / \$2.4B	-	-	-	IL, IN Fin. Auth., IL Fin. Auth.	-	-	-
Umbaugh & Associates	-	-	1 / \$99M	12 / \$2.2B	Ohio COPs	1	7	6
					Columbus, Franklin Cnty. NE OH Sewer, Schools: UA Columbus, Olentangy, Licking			

Swap Advisory

Firm	Swaps Advised Since January 1, 2016 (# of series/notional amount > \$10M)				Major Issuers	
	National State-Level	Ohio State-Level	Ohio Local Gov't	State-Level	Ohio	
Acacia Financial Group	2 / \$460M	-	-	DE Port Auth.	-	-
PFM Financial Advisors	23 / \$1.7B	-	-	Transportation Auth. (IL, MA), CA Power, NM Fin. Auth., Higher Ed. (IL, RI)	-	-
Swap Financial Group	36 / \$1.9B	-	-	Housing Auth. (CO, IN, MA, MI, NY, WI, WA), CA Higher Ed., IL, MA Dev. Auth., NE Fin. Auth.	-	-

151-1-01 Notification of meetings to the public and news media.

(A) This Ohio public facilities commission has adopted this rule, pursuant to and in compliance with division (F) of section 121.22 of the Revised Code, for the purposes of establishing a reasonable method for any person to determine the time and place of all regularly scheduled meetings, and the time, place and purpose of all special meetings, making provisions for giving advance notice of all special meetings to the news media that have requested notification, and making provisions for persons to request and obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. This rule is in addition to any applicable legal requirements as to notices to members of the commission and to designees, pursuant to section 151.02 of the Revised Code, of such members.

(B) As used in this rule the following terms have the indicated meanings:

(1) "Day" means calendar day.

(2) "Meeting" means any prearranged discussion of the public business of the commission by four or more members, or by any duly appointed committee of the commission at which meeting a majority of the members of the committee are present.

(3) "Member" means member of the commission or a designee of a member of the commission acting pursuant to section 151.02 of the Revised Code and the commission bylaws.

(4) "Oral notification" means notification given orally either in person or by telephone, directly to the person for whom such notification is intended, or by leaving an oral message for such person at the address, or if by telephone at the telephone number, of such person shown on the records kept by the secretary under this rule.

(5) "Post" means to post in an area accessible to the public during the usual business hours at the office of the secretary ("Rhodes State Office Tower, 30 East Broad Street, 34th floor, Columbus, Ohio"), and to deliver to the clerk of the "Statehouse pressroom, Capitol Building, Columbus, Ohio." The secretary may also post items on the commission's page on the office of budget and management website (<http://obm.ohio.gov/SectionPages/BondsDebt/OPFC.aspx>).

(6) "Published" means published once in a newspaper having a general circulation in the city of Columbus, as defined in section 7.12 of the Revised Code, except that no portion of such newspaper need be printed in that city. If at the time of any such publication there is no such newspaper of general circulation, then such publication shall be in a newspaper then determined by the secretary to have the largest circulation in that city.

(7) "Secretary" means the secretary of the commission, being the director of budget and management, or the assistant secretary appointed by the commission.

(8) "Special meeting" means a meeting which is neither a regular meeting nor an adjournment of a regular or special meeting to another time or day to consider items specifically stated on the original agenda of such regular or special meeting.

(9) "Written notification" means notification in writing mailed, faxed, emailed or delivered to the address of the person for whom such notification is intended as shown on the records kept by the secretary under this rule, or in any way delivered to such person. If mailed, such notification shall be mailed by first-class mail, deposited in a U.S. postal service mailbox no later than the fourth day preceding the day of the meeting to which such notification refers.

(C) Any person may determine the time and place of all then known regular meetings, the time, place, and purposes of all then known special meetings, and whether the available agenda of any future meeting states that any specific type of public business, identified by such person, is to be discussed at such meeting, by:

(1) Writing to: "Secretary, Ohio Public Facilities Commission, c/o Director of Budget and Management, Rhodes State Office Tower 30 East Broad Street, 34th floor Columbus, Ohio 43266-0411."

(2) Telephoning the office of budget and management, during its normal business hours, at 614-466-4034 or 614-752-2577.

(3) Consulting the bulletin board located in the public reception area at the office of budget and management, "Rhodes State Office Tower, 30 East Broad Street, 34th floor, Columbus, Ohio, or consulting the clerk of the Statehouse pressroom, Capitol Building, Columbus, Ohio."

(4) Consulting the commission's page on the office of budget and management website (<http://obm.ohio.gov/SectionPages/BondsDebt/OPFC.aspx>).

(D) The secretary shall post a statement of the times and places of then known regular meetings not later than the second day preceding the day of each regular meeting. If at any time the time or place of any regular meeting is changed, a statement of the time and place of such changed regular meeting shall be so posted by the secretary at least twenty-four hours before the time of such changed regular meeting.

(E) Upon the adjournment of any regular or special meeting to another day, the secretary shall promptly post notice of the time and place of such adjourned meeting.

(F) Except in the case of a special meeting referred to in paragraph (I)(5) of this rule, the secretary shall, no later than twenty-four hours before the time of a special meeting, post a statement of the time, place and purposes of such special meeting. In the case of a special meeting as referred to in paragraph (I)(5) of this rule, the secretary shall immediately post a statement of the time, place and purposes of such special meeting.

(G) The statement under paragraph (F) of this rule and the notifications under paragraph (I) of this rule shall state such specific or general purpose or purposes then known to the secretary to be intended to be considered at such special meeting and may state, as an additional general purpose, that any other business as may properly come before the commission or its committee at such meeting may be considered and acted upon.

(H) In addition to or in lieu of the posting of the statement as provided in paragraphs (D), (E) and (F) of this rule, the secretary may cause to be published once, no later than twelve hours prior to the time of the meeting referred to, a statement of the time and place of such regular meeting or the time, place and purposes of such special meeting.

(I) Any news media organization that desires to be given advance notification of special meetings shall file with the secretary a written request therefor. The secretary shall maintain a current list of all news media that have requested such advance notification.

(1) Except in the event of an emergency requiring immediate official action as referred to in paragraph (I)(5) of this rule, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purposes of such special meeting is given to the news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule.

(2) News media requests for such advance notification of special meetings shall specify: the name of the medium; the name and address (and, if applicable, the facsimile (FAX) number or email address) of the person to whom written notifications to the medium may be mailed, faxed, emailed or otherwise delivered; and the names, addresses and telephone numbers (including addresses and telephone numbers and, if applicable, the facsimile (FAX) number or email address at or to which notifications may be given either during or outside of business hours) of at least two persons to either one of whom oral notifications to be medium may be given.

(3) Any such request shall be effective for one year from the date of the filing with the secretary or until the secretary receives written notice from such medium cancelling or modifying such request, whichever is earlier. Each requesting news medium shall be informed of such period of effectiveness at the time it files its request. Such requests may be modified or extended only by filing a complete new request with the secretary. A request shall not be deemed to be made unless it is complete in all respects, and such request may be conclusively relied on by the commission and the secretary.

(4) The secretary shall give such oral notification or written notification, or both, as the secretary determines, to the news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule, of

the time, place and purposes of each special meeting, at least twenty-four hours prior to the time of such special meeting.

(5) In the event of an emergency requiring immediate official action, a special meeting may be held without giving twenty-four hours advance notification thereof to the requesting news media. The persons calling such meeting, or any one or more persons or the secretary on their behalf, shall immediately give oral or written (including by facsimile (FAX) or email) notification, or both, as the person or persons giving such notification determine, of the time, place and purposes of such special meeting to such news media that have requested such advance notification in accordance with paragraph (I)(2) of this rule. The minutes or the call, or both, of any such special meeting shall state the general nature of the emergency requiring immediate official action.

(J) Any person, upon written request and as provided herein, may obtain reasonable advance notification of all meetings at which any specific type of public business is scheduled to be discussed.

(1) Such person may file a written request with the secretary specifying: the person's name, and the address(es) and telephone number(s) (including, if applicable, the facsimile (FAX) number or email address) at or through which the person can be reached during and outside of business hours; the specific type of public business the discussion of which the person is requesting advance notification; and the number of calendar months (not to exceed twelve) which the request covers. Such request may be cancelled by request from such person to the secretary.

(2) Each such written request under paragraph (J)(1) of this rule requesting written notification by first class mail shall be accompanied by stamped self-addressed envelopes sufficient in number to cover the number of meetings during the time period covered by the request. The secretary shall notify in writing the requesting person when the supply of envelopes is running out; if the person desires notification after such supply has run out, such person must deliver to the secretary an additional reasonable number of stamped self-addressed envelopes as a condition to receiving further notifications.

(3) There shall be no fee charged for such notification.

(4) Such requests may be modified or extended only by filing a complete new request with the secretary. A request shall not be deemed to be made unless it is complete in all respects, and such request may conclusively relied on by the commission and the secretary.

(5) The secretary shall maintain a current list of all persons who have requested notification under paragraph (J) of this rule. The secretary shall if possible give such advance notification under paragraph (J) of this rule by written notification. If such written notification cannot be given or has not been given, the secretary shall give oral notification.

(6) Written notification of commission meetings under paragraph (J)(5) of this rule may be accomplished by giving advance written notification by copies of the agendas of those meetings of the commission.

(K) Any notification or action provided herein to be given or taken by the secretary may be given or taken by any other person acting in behalf of or under the authority of the secretary.

(L) A reasonable effort at notification shall constitute notification in compliance with this rule.

(M) At the commencement of each meeting, the secretary, or any member, shall submit a certificate of the secretary as to compliance with this rule as to notice and notification. Such certificate shall be conclusive upon the commission (and, if applicable, its committee) as to the facts set forth in it, and shall be conclusive evidence as to the facts set forth therein upon which all persons can rely that this rule has been complied with.

Replaces: 154-1-01

Effective: 03/03/2014

R.C. 119.032 review dates: 03/03/2019

Promulgated Under: 111.15

Statutory Authority: 151.02

Rule Amplifies: 121.22(F)

Prior Effective Dates: 7/9/77, 1/1/95