



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/22/2014 **In control:** Public Safety & Judiciary Committee

On agenda: 5/12/2014 **Final action:** 5/15/2014

Title: To authorize and direct the City Attorney to pay the pre- and post- judgment interest owed to Versatile Helicopters, Inc. as relates to the lawsuit of Versatile Helicopters, Inc. v. City of Columbus, et al., filed in the United States District Court, Southern District of Ohio, Eastern Division; to authorize the appropriation and expenditure of \$76,806.90 from the Special Income Tax Fund; and to declare an emergency. (\$76,806.90)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/15/2014	1	CITY CLERK	Attest	
5/14/2014	1	MAYOR	Signed	
5/12/2014	1	COUNCIL PRESIDENT	Signed	
5/12/2014	1	Columbus City Council	Approved	Pass

Explanation

1. BACKGROUND

This ordinance is submitted to pay the pre- and post- Judgment interest owed to Versatile Helicopters, Inc. as relates to the lawsuit of *Versatile Helicopters, Inc. v. City of Columbus, et al.*, Case No. 2:10-cv-1110 in the United States District Court, Southern District of Ohio, Eastern Division, in which Versatile Helicopters obtained a verdict against the City of Columbus.

2. FISCAL IMPACT

Funds in the amount of \$76,806.90 are available in the Special Income Tax Fund to cover the cost of the interest payment.

3. EMERGENCY DESIGNATION

Emergency action is requested to pay the judgement immediately in order to avoid additional interest payments on the judgement.

To authorize and direct the City Attorney to pay the pre- and post- judgment interest owed to Versatile Helicopters, Inc. as relates to the lawsuit of *Versatile Helicopters, Inc. v. City of Columbus, et al.*, filed in the United States District Court, Southern District of Ohio, Eastern Division; to authorize the appropriation and expenditure of \$76,806.90 from the Special Income Tax Fund; and to declare an emergency. (\$76,806.90)

WHEREAS, the City of Columbus was sued by Versatile Helicopters, Inc. in the United States District Court; and,

WHEREAS, the jury returned a verdict against the City of Columbus; and,

WHEREAS, by operation of law, Versatile Helicopters, Inc. is entitled to pre- and post- Judgment interest on the verdict

obtained; and,

WHEREAS, Versatile Helicopters, Inc. has now passed a corporate resolution directing that said monies be paid directly to their attorneys, Hahn Loeser & Parks, LLP; and,

WHEREAS, by reason of the foregoing an emergency exists in the usual daily operation of the City in that it is necessary to pay this judgment immediately in order to avoid unnecessary additional interest payments on the judgment; now, therefore,

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

SECTION 1. That the City Attorney is hereby authorized and directed to pay the pre- and post- Judgment interest in the amount of Seventy-six Thousand Eight Hundred Six Dollars and Ninety Cents (\$76,806.90) as relates to the lawsuit of *Versatile Helicopters, Inc. v. City of Columbus, et al.*, Case No. 2:10-cv-1110 in the United States District Court, Southern District of Ohio, Eastern Division directly to the law firm of Hahn Loeser & Parks, LLP.

SECTION 2. That for the purpose of paying the judgment as set forth in SECTION 1, the appropriation of Seventy-six Thousand Eight Hundred Six Dollars and Ninety Cents (\$76,806.90) is hereby authorized and approved as follows:

Fund: 430
OCA Code: 302018
Object Level 1: 05
Object Level 3: 5573
Amount: \$76,806.90

SECTION 3. That for the purpose of paying the judgment as set forth in SECTION 1, it is hereby authorized to be expended by the City of Columbus from the Special Income Tax Fund, Fund no. 430, Object level one - 05, Object level three - 5573, the sum of Seventy-six Thousand Eight Hundred Six Dollars and Ninety Cents (\$76,806.90).

SECTION 4. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of \$76,806.90 payable to Hahn Loeser & Parks, LLP, 65 East State Street, Suite 1400, Columbus, OH 43215 upon receipt of a voucher approved by the City Attorney.

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.