



Legislation Details (With Text)

File #: 0781-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/8/2007 **In control:** Judiciary And Court Administration Committee

On agenda: 6/4/2007 **Final action:** 6/11/2007

Title: To authorize and direct the City Attorney to settle the claim between Maximus, Inc. and the Franklin County Municipal Court, Clerk of Court; to authorize a supplemental appropriation of \$36,947.49 from the unappropriated balance of the Clerk's computer fund; to authorize an expenditure of \$36,947.49 and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/11/2007	1	CITY CLERK	Attest	
6/8/2007	1	MAYOR	Signed	
6/4/2007	1	Columbus City Council	Approved	Pass
6/4/2007	1	COUNCIL PRESIDENT	Signed	
5/14/2007	1	CITY ATTORNEY	Reviewed and Approved	
5/14/2007	1	MuniCrtClerk Drafter	Sent to Clerk's Office for Council	
5/11/2007	1	Finance Reviewer	Reviewed and Approved	
5/11/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
5/11/2007	1	MuniCrtClerk Drafter	Sent for Approval	
5/11/2007	1	Auditor Reviewer	Reviewed and Approved	
5/11/2007	1	CITY AUDITOR	Reviewed and Approved	
5/11/2007	1	MuniCrtClerk Drafter	Sent for Approval	
5/10/2007	1	MuniCrtClerk Drafter	Sent for Approval	
5/10/2007	1	MUNICRTCLERK DIRECTOR	Reviewed and Approved	
5/10/2007	1	MuniCrtClerk Drafter	Sent for Approval	
5/10/2007	1	Finance Reviewer	Reviewed and Approved	

Background: This ordinance is submitted to settle a claim between Maximus, Inc. and the Franklin County Municipal Court, Clerk of Court in the amount of \$36,947.49, and authorizes a supplemental appropriation of \$36,947.49 from the unappropriated balance of the Clerk's computer fund.

Fiscal Impact: Funds are available within the Clerk's computer fund to pay for this claim, totaling \$36,947.49.

To authorize and direct the City Attorney to settle the claim between Maximus, Inc. and the Franklin County Municipal Court, Clerk

of Court; to authorize a supplemental appropriation of \$36,947.49 from the unappropriated balance of the Clerk's computer fund; to authorize an expenditure of \$36,947.49 and to declare an emergency.

Whereas, the Parties hereto desire to resolve issues related to Maximus's performance of services with the Clerk based on the Maximus quotes to or authorizations from the prior Franklin County Municipal Court Clerk, Mike Pirik; and

Whereas, the Clerk and Maximus, in good faith, have agreed to avoid the expense and time of litigation proceedings, to resolve all of their differences by agreement, and that this agreement adequately resolves all the differences between the parties;

Whereas, Maximus, Inc. has asserted and continues to assert it rendered services satisfactory to the Clerk and, but for this settlement, Maximus would be entitled to payment for such services; under no circumstances shall this agreement be construed as any admission that the services were not performed by Maximus or that such performance by Maximus was not satisfactory; and

Whereas, the Clerk has denied and continue to deny any liability for certain services rendered by Maximus to the Clerk and it is agreed that under no circumstances shall the agreement be construed as any admission of liability under any federal, state, or local laws; and

Whereas, it is in the best interest of the City to settle this claim for a total amount of \$36,947.49; and

Whereas, the proceeds are within the computer fund; and

Whereas, an emergency exists in the usual daily operations of the Franklin County Municipal Court, Clerk of Court in that it is immediately necessary to pay this settlement thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Attorney be and hereby is authorized and directed to settle the claim between Maximus, Inc. and the Franklin County Municipal Court, Clerk of Court by payment of \$36,947.49 as a reasonable and fair amount in the best interest of the City of Columbus.

Section 2. That from the unappropriated funds in the Clerk's computer fund, the sum of \$36,947.49 be and is hereby appropriated within department 26-01, fund 227, subfund 02, oca code 260208, object level one 05, object level three 5539.

Section 3. That for the purpose of paying this settlement, there be and hereby is authorized to be expended by the Franklin County Municipal Court, Clerk of Court computer fund, department 26-01, fund 227, subfund 2, oca code 260208, object level one 05, object level three 5539 for the total sum of \$36,947.49.

Section 4. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of \$36,947.49 payable to Maximus, Inc. upon receipt of a voucher and a release approved by the City Attorney.

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