



## Legislation Details (With Text)

**File #:** 2325-2012      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/17/2012      **In control:** Public Safety & Judiciary Committee

**On agenda:** 11/19/2012      **Final action:** 11/21/2012

**Title:** To authorize and direct the Public Safety Director to enter into contracts with Gail Patrick and Marcus Ross to serve as hearing officers to conduct and preside over administrative hearings for appeals of the automated photo traffic enforcement system violations for the Division Police, to authorize an appropriation in the Photo Red Light Fund, to authorize the expenditure of \$40,000.00 for these contracts; to waive Chapter 329 of the Columbus City Code as it relates to the procurement of professional services; and to declare an emergency.(\$40,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2325-2012 waiver

Date	Ver.	Action By	Action	Result
11/21/2012	1	CITY CLERK	Attest	
11/20/2012	1	ACTING MAYOR	Signed	
11/19/2012	1	COUNCIL PRESIDENT	Signed	
11/19/2012	1	Columbus City Council	Approved	Pass

**Background:** This legislation authorizes the Director of Public Safety to enter into contracts with Gail Patrick and Marcus Ross to serve as hearing officers to conduct and preside over the administrative hearings for appeals of the automated photo traffic enforcement system violations. Pursuant to Columbus City Code Chapter 2115, the city has implemented a Photo Traffic Enforcement System and persons served with a "notice of liability" under chapter 2115 may request an administrative hearing to contest the notice of liability. The city seeks to waive Chapter 329 of the Columbus City code as it related to the procurement of professional services and retain the services of qualified and licensed attorneys to serve as Hearing Officers for such administrative hearings. Gail Patrick and Marcus Ross have undergone training and have years of experience administering these specific photo red light hearings. These contracts will have a start date of October 1, 2012 and ending date of March 31, 2013.

There is also an additional need to appropriate \$30,024.75 in the Photo Red Light Fund (fund 293).

Contract Compliance number is 208855517 and expires on 01/31/2014.

**Emergency Designation:** This ordinance is being submitted as an emergency measure in order to continue the administrative hearings without interruption.

**FISCAL IMPACT:** Funding for these contracts will come from the Photo Red Light Fund. There is no impact on the General Fund expenditures due to this ordinance.

To authorize and direct the Public Safety Director to enter into contracts with Gail Patrick and Marcus Ross to serve as hearing officers to conduct and preside over administrative hearings for appeals of the automated photo traffic

enforcement system violations for the Division Police, to authorize an appropriation in the Photo Red Light Fund, to authorize the expenditure of \$40,000.00 for these contracts; to waive Chapter 329 of the Columbus City Code as it relates to the procurement of professional services; and to declare an emergency.(\$40,000.00)

**WHEREAS**, persons served with a notice of liability under City Code Chapter 2115 may request an administrative hearing to contest the notice of liability; and

**WHEREAS**, the City seeks to retain the services of qualified and licensed attorney to serve as hearing offices for such administrative hearings; and

**WHEREAS**, Gail Patrick and Marcus Ross are qualified and licensed attorneys to practice law in the State of Ohio and willing to preside over administrative hearings brought pursuant to Chapter 2115; and

**WHEREAS**, an additional appropriation is needed in the Photo Red Light Fund to allow this expense; and

**WHEREAS**, it is necessary to waive bidding requirements in order to contract with Gail Patrick and Marcus Ross; and

**WHEREAS**, an emergency exists in the usual and daily operation of the Department of Public Safety, Division of Police, in that it is immediately necessary to enter into contracts for the services of hearing officers for the immediate preservation of the public health, peace, property, safety and welfare, now, therefore

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

**SECTION 1.** That the Public Safety Director be and is hereby authorized and directed to enter into contracts with Gail Patrick and Marcus Ross to serve as hearing officers to conduct and preside over the administrative hearings for appeals of the automated photo traffic enforcement system violations.

**SECTION 2.** That the City Auditor is authorized to appropriate \$30,024.75 within the Photo Red Light Fund as follows: Fund 293, OCA 293001, Object Level One (03), Object Level Three 3324

**SECTION 3.** That the expenditure of \$40,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 293 | OBJ LEVEL (1) 03 | OBJECT LEVEL (3) 3324 | OCA # 293001|

**SECTION 4.** That in accordance with section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving the provisions relating to the procurement of professional services contained in Section 329.11 of the Columbus City Code.

**SECTION 5.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from the after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.