



City of Columbus

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

Legislation Text

File #: 1276-2013, **Version:** 1

Ordinance 0656-2013, authorized the Director of the Department of Finance and Management to enter into a contract with the Franklin County Public Defender Commission of Columbus, Ohio for the period of January 1, 2013 through December 31, 2013, for the purpose of providing legal counsel to indigent persons charged with criminal offenses.

At the time Ord. 0656-2013 was drafted, Franklin County estimated 2013 Public Defender program costs at \$4,384,541, which after applying the City's 40 percent share, the 35 percent reimbursement from the State Public Defender Commission, and the 2012 contract expenditure correction of \$58,587, resulted in a net contract amount of \$1,198,477. This is the amount that was included in Ord. 0656-2013, and approved by City Council on April 1, 2013. AC034799 has been established in this amount.

After further review, Franklin County has revised 2013 Public Defender program costs to total \$4,429,377. After applying the City's 40 percent share, the 35 percent reimbursement from the State Public Defender Commission and the 2012 contract expenditure correction of \$58,587, the revised 2013 net contract amount is \$1,210,225. This revised total represents an increase of \$11,748.00. This ordinance seeks to increase the existing Auditor's Certificate (AC034799) established by Ord. 0656-2013 and increase the authorized expenditure for the 2013 Franklin County Public Defender Contract by \$11,748.00.

Award of this contract meets the procurement provisions of Chapter 329 of the Columbus City Codes, 1959.

Emergency action is requested since the start of this contract was January 1, 2013. Action prior to this date was not possible until the 2012 contract expenses had been reconciled.

FISCAL IMPACT: Funding for this \$11,748.00 increase is budgeted within the Financial Management Division's 2013 general fund operating budget.

To authorize the Director of the Department of Finance and Management to modify an existing contract with the Franklin County Public Defender Commission to allow for the inclusion of costs for additional services provided, to authorize the expenditure of \$11,748.00 from the general fund; and to declare an emergency. (\$11,748.00)

WHEREAS, Ordinance 0656-2013, authorized the Director of the Department of Finance and Management to enter into a contract with the Franklin County Public Defender Commission of Columbus, Ohio for the period of January 1, 2013 through December 31, 2013, for the purpose of providing legal counsel to indigent persons charged with criminal offenses; and

WHEREAS, Franklin County has revised 2013 Public Defender program costs upward, requiring an \$11,748.00 increase to authorized spending authority for the Director of the Department of Finance and Management; and

WHEREAS, an additional \$11,748.00 must be added to existing Auditor's Certificate, AC034799; and

WHEREAS, at the completion of the contract a reconciliation is performed based upon actual expenditures vs. anticipated expenditures, actual State-charged misdemeanors vs. anticipated, and actual State Public Defender Commission reimbursement vs. anticipated reimbursements; and

WHEREAS, an emergency exists in the usual daily operation of government of the City of Columbus that it is immediately necessary to authorize a contract with the Franklin County Public Defender Commission in order to assure the continuity of legal services to indigent persons in Columbus thereby preserving the public peace, property, health, safety and welfare; now, therefore,

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

SECTION 1. That the City Auditor is authorized to increase Auditor's Certificate, AC034799, by \$11,748.00 for the purpose of correcting the amount owed to the Franklin County Public Defender Commission, per Ord. 0656-2013.

SECTION 2. The expenditure of \$11,748.00 be and hereby is authorized to be expended from the General Fund as follows:

Dept/Div: 45-01
Fund: 10
OCA Code: 450015
Object Level One: 03
Object Level Three: 3337
Amount: \$11,748.00

SECTION 3. The funds necessary to carry out the purpose of this ordinance are deemed appropriated and the City Auditor shall establish accounting codes as necessary.

SECTION 4. That award of this contract meets the procurement provisions of Chapter 329 of the Columbus City Code, 1959.

SECTION 5. The City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with the ordinance.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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.