



City of Columbus

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

Legislation Text

File #: 1602-2015, **Version:** 1

BACKGROUND: This ordinance is to appropriate funds from the Law Enforcement Contraband Fund in the amount of \$131,591.95. The purpose of this appropriation is to issue said amount to the Franklin County Prosecutor's office according to the attached Memorandum of Agreement (MOA) between the Division of Police and the Franklin County Prosecutor's Office. The MOA states "any property and/or monies seized as a result of any criminal investigation in which the Prosecuting Attorney has been consulted and/or involved in which the suspect, defendant, and/or co-defendant does not claim a right, title or interest shall be fully disclosed to the Prosecuting Attorney and shall not be declared or alleged to be abandoned property or monies unless agreed by the parties..." If it is agreed by the parties to be abandoned it will be distributed between the Division of Police and the Franklin County Prosecutor equally with 50% going to each party. The current balance of abandoned money is \$420,918.89, which is deposited into the Law Enforcement Contraband Fund. This ordinance is to authorize the Director of Public Safety to issue payment for half of the deposited money less the County's share of \$78,867.50, which was contributed by the Franklin County Prosecutor's Office for the City's MatrixCrime interface, for a total allocation of \$131,591.95.

Emergency Designation: Emergency legislation is necessary to enable the most expedient reimbursement to Franklin County Prosecutor's Office.

FISCAL IMPACT: This ordinance authorizes an appropriation and expenditure of \$131,591.95 from the Law Enforcement Contraband Fund for the purpose of issuing payment to the Franklin County Prosecutor's Office for its share of the abandoned money per the MOA.

To authorize an appropriation from the Law Enforcement Contraband fund in the amount of \$131,591.95 and to authorize the Director of Public Safety to issue payment to the Franklin County Prosecutor's Office for its portion of the abandoned money less the money contributed to the City for the MatrixCrime interface, and to declare an emergency. (\$131,591.95)

WHEREAS, pursuant to former Ohio Revised Code Chapters 2925 and 2933 (now R.C. Chapter 2981), the Franklin County Prosecuting Attorney and the City of Columbus Chief of Police, on behalf of the Division of Police, entered into a Memorandum of Agreement providing for the processes and procedures for the prosecution of civil forfeitures, as well as the apportionment of any proceeds resulting there from; and

WHEREAS, the Memorandum of Agreement provides that abandoned property, including money, shall be disbursed equally between the Division of Police and Franklin County; and

WHEREAS, the current balance of abandoned money in the Law Enforcement Contraband Fund is \$420,918.89

WHEREAS, 50% of the deposited money less the \$78,867.50 contributed to the Division of Police for the MatrixCrime interface needs to be issued to the Franklin County Prosecutor's Office

WHEREAS, the total amount to be issued to the Franklin County Prosecutor's Office is \$131,591.95.

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that a payment to the Franklin County Prosecutor's office is needed for the preservation of 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 Director of Public Safety be and is hereby authorized to issue payment to the Franklin County Prosecutor's Office in the amount of \$131,591.95, which is its portion of the abandoned money less the money contributed for the MatrixCrime interface.

SECTION 2. That from the unappropriated monies in the Law Enforcement Contraband Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes the sum of \$131,591.95 is appropriated as follows:

DIV 30-03 | FUND 219 | SUBFUND 02|OBJ LEVEL (1) 03 | OBJECT LEVEL (3) 3407 | OCA # 301838 |

SECTION 3. That the expenditure of \$131,591.95 or so much thereof as may be needed, be and the same is hereby authorized as follows:

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SECTION 4. That monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 5. That all funds necessary to carry out the purpose of this fund in 2015 are hereby deemed appropriated in an amount not to exceed the available cash balance in the fund.

SECTION 6. 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.