



Legislation Text

File #: 1547-2016, **Version:** 1

BACKGROUND: This ordinance is to appropriate funds from the Law Enforcement Contraband Fund in the amount of \$237,293.03. The purpose of this appropriation is to issue said amount to the Franklin County Prosecutor's office according to the 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 \$574,093.55, which was 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 an overpayment of \$17,253.75 from the last distribution and less \$32,500.00 for the County's share of DNA gun testing at the Mansfield Crime Lab for a total appropriation of \$237,293.03.

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 \$237,293.03 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 \$237,293.03 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 and to declare an emergency. (\$237,293.03)

WHEREAS, In 2003 the Division of Police entered into a Memorandum of Agreement with the Franklin County Prosecutor's Office that states if the Prosecuting Attorney was involved or consulted during the criminal investigation and both parties agree said money is abandoned that 50% of any abandoned property or money will be disbursed to the County and the other 50% will be disbursed to the Division of Police

WHEREAS, the current balance of abandoned money in the Law Enforcement Contraband Fund is \$574,093.55

WHEREAS, 50% of the deposited money less an overpayment of \$ \$17,253.75 from the last distribution and less \$32,500.00 for the County's share of DNA gun testing at the Mansfield Crime Lab needs to be issued to the Franklin County Prosecutor's Office.

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 \$237,293.03, which is its portion of the abandoned money less an overpayment of \$17,253.75 from the last distribution and less \$32,250.00 for the County's share of DNA gun testing at the Mansfield Crime Lab.

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 \$237,293.03 is appropriated per the accounting codes in the attachment of this ordinance.

SECTION 3. That monies appropriated in the forgoing 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 4. That all funds necessary to carry out the purpose of this fund in 2016 are hereby deemed appropriated in an amount not to exceed the available cash balance in the fund.

SECTION 5. That the expenditure of \$237,293.03 or so much thereof as maybe needed, is hereby authorized in Fund 2219 Law Enforcement Contraband Fund per the accounting codes in the attachment of this ordinance.

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.