

Sponsor: Kitchen/Brown

ORDINANCE NO. 03-14

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON AUTHORIZING THE MAYOR TO RATIFY THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISSIONERS THAT PROVIDED LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR THE SECOND HALF OF 2013 IN AN AMOUNT OF \$12,069.42.

WHEREAS, the City of Jackson, Ohio is obligated to provide legal counsel to indigent persons charged with violation of the Municipal Code, greater than a minor misdemeanor and the contract must be ratified at the earliest possible date to prevent interruption of representation; and

WHEREAS, the Jackson County Commissioners have contracted with the Ohio Public Defenders Commission to provide counsel to indigent persons and has made arrangements for this legal counsel to provide defenses to indigent persons charged with violations of the Jackson City Code; and

WHEREAS, the contract is for the second half of 2013 beginning on July 1, 2013 and ending December 31, 2013 was not presented to the City of Jackson for that time period but the services have been provided;

WHEREAS, the contract price is consistent with the first half of 2013 and for the first half of 2014 and the City did receive the benefit of the contract, as if it had been signed, at a cost to the city in an amount of \$12,069.42 as a professional services; and

WHEREAS, the continuation of counsel to represent the indigent criminal defendants of the City of Jackson constitutes an emergency that is necessary to preserve the public health, safety and welfare of the City and its citizens; and

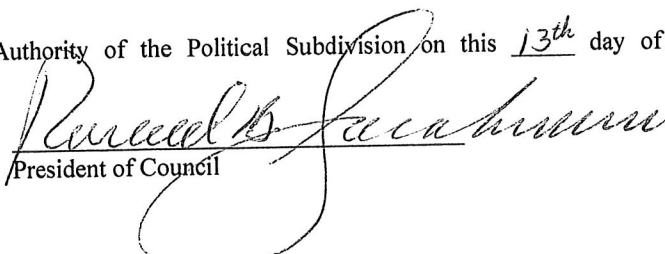
WHEREAS, a copy of the agreement is attached hereto and is incorporated herein; and

NOW, THEREFORE, BE IT ORDAINED THAT THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO RATIFY AN AGREEMENT SUBSTANTIALLY SIMILAR IN FORM TO THAT CONTRACT ENTERED FOR THE FIRST HALF OF 2013 FOR INDIGENT DEFENSE SERVICES IN MUNICIPAL COURT AND TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF \$12,069.42 FROM LINE ITEM 110-7750-53007 AND DECLARING AN EMERGENCY

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 13th day of January, 2014.


President of Council

ATTEST:

Sherry Barr
Clerk of the Legislative Authority

Approved this 13th day of January, 2014.

Randy R. Yeast
Mayor