



**MONROE CITY COUNCIL
Finance & Human Resources
Committee Meeting**

Tuesday, September 15, 2020, 5:30 p.m.
Zoom Online Meeting Platform

Committee
Councilmembers
Patsy Cudaback
Jason Gamble
Kirk Scarboro

AGENDA

I. Call to Order

The City Council Finance & Human Resources Committee meeting will be held virtually via Zoom Meeting. Due to the COVID-19 pandemic, and Proclamation 0-28.9 issued by Governor Jay Inslee, in-person attendance is not permitted at this time.

- Join Zoom Meeting:
<https://us02web.zoom.us/j/81965348969?pwd=WIE2MEZtWkpkYU5KMghvSTRmWEZxUT09>
- Dial in: (253) 215-8782
- Meeting ID: 819 6534 8969
- Password: 900119

II. Roll Call

III. Approval of Minutes

- A. [Meeting minutes of February 18, 2020](#)
- B. [Meeting minutes of August 18, 2020](#)

IV. New Business

- A. [Review Final Court Assessment Report \(D. Knight\)](#)

V. Other Business

VI. Next Committee Meeting (October 20, 2020, 5:30 p.m.)

- A. Old Business Close Out

VII. Adjournment



**MONROE CITY COUNCIL
Finance & Human Resources
Committee Meeting**
Tuesday, February 18, 2020, 5:30 p.m.
Monroe City Hall, Monroe Coordination Center

**2020 Committee
Councilmembers**
Patsy Cudaback
Jason Gamble
Kirk Scarboro

MINUTES

I. Call to Order

A regular meeting of the Monroe City Council Finance & Human Resource Committee was held on February 18, 2020, at the Monroe Coordination Center; City Hall. The Meeting was called to order by Councilmember Gamble at 5:34 p.m.

Committee Present: Councilmembers Scarboro, Gamble, and Cudaback
Mayor Present: N/A
Staff Present: Becky Hasart, Finance Director; Scott Peterson, Deputy City Engineer; Ben Swanson, Community Development Director; Ben Warthan, Human Resources Director; Deborah Knight, City Administrator; Gina Pfister, Clerical Specialist

II. Special Orders of the Day

A. Select 2020 Chair

Councilmember Scarboro moved to appoint Councilmember Gamble as the Finance & Human Resources Committee Chair. The motion was seconded by Councilmember Cudaback. The motion carried (3-0).

III. Approval of Minutes (Meeting of January 21, 2020)

Councilmember Scarboro moved to approve the Monroe City Council Finance & Human Resource Committee Meeting Minutes of Tuesday, January 21, 2020; the motion was seconded by Councilmember Cudaback. Motion carried 3-0.

IV. New Business

A. Confirm Meeting Date/Time

The Committee will continue meeting on the third Tuesday of each month at 5:30 p.m.

B. 2020 Work Plan

Ms. Hasart reviewed the 2020 Work Plan.

C. Annual Performance Review Update

Mr. Warthan noted that all performance reviews for non-represented employees have been completed for 2019; and the average overall score for this review period was 3.5.

Reviews were based on the following areas: professional knowledge, quality of work, judgment, communication, initiative, cooperation, leadership, and employee development.

D. City Severance Policy

Mr. Warthan explained the need for establishing a city severance policy; and provided examples from other local agencies.

Discussion ensued related to the following topics: additional examples from other local agencies; performance based policy; integration of success plans or performance improvement plans; and city policy.

Mr. Warthan will compile Committee feedback and bring a recommendation back at a future meeting.

V. Old Business

A. FCS Group – Direct Billing Study

Mr. Swanson provided background information on the FCS Group planning fee cost of service study and reviewed prior discussions and presentations.

Matt Hobson and Peter Moi, with FCS Group, led the Committee through a PowerPoint presentation that highlighted the incorporated feedback from prior discussions; and detailed the proposed three tiered system.

Discussion ensued related to the following topics: tier rationale; categorization of fees; public and private benefit; staff impacts; rates of other jurisdictions; and revenue impacts.

VI. Next Committee Meeting

A Special Meeting of the Finance & Human Resources Committee will be held on Friday, February 28, 2020, at 3:00 p.m. to continue discussion related to direct billing costs.

The next regularly scheduled meeting of the Committee is Tuesday, March 17, 2020, at 5:30 p.m.

Agenda Items: 2020 budget amendments; review 2019 Annual Report; water station annual fee; bi-annual budget discussion.

VII. Adjournment

There being no further business, Councilmember Scarboro moved to adjourn the Tuesday, February 18, 2020, Monroe City Council Finance & Human Resource Committee meeting; the motion was seconded by Councilmember Cudaback. Motion carried 3-0.

The meeting adjourned at 6:50 p.m.



MONROE CITY COUNCIL
Finance & Human Resources
Committee Meeting
Tuesday, August 18, 2020, 5:30 p.m.
Zoom Online Meeting Platform

2020 Committee
Councilmembers
Patsy Cudaback
Jason Gamble
Kirk Scarboro

MINUTES

I. Call to Order

A regular meeting of the Monroe City Council Finance & Human Resource Committee was held on August 18, 2020, via Zoom. Due to the COVID-19 pandemic, and Proclamation 20-28.8 issued by Governor Jay Inslee, in-person attendance is not permitted at this time. The Meeting was called to order by Councilmember Gamble at 5:37 p.m.

Committee Present: Councilmembers Scarboro, Gamble, and Cudaback
Mayor Present: Yes
Staff Present: Pfister, Hasart, Warthan, and Knight

II. New Business

A. IT Assessment (B. Warthan)

Ben Warthan, Human Resources/IT Director, provided background on the IT Assessment; and introduced Consultants Spencer Arnesen and Ron Loos from SoftResources.

Mr. Warthan shared a PowerPoint presentation highlighting the following topics:

- Phases of project
- Planning
- Technology assessment
- Cloud strategy
- Cybersecurity and disaster recovery policy/procedures
- Budget
- Project timelines
- Project costs

Discussion ensued related to the following topics: budget; position recommendations versus current needs; items potentially paid with CARES Act funds.

B. 2020 Mid-Year Performance Reviews (B. Warthan)

Mr. Warthan provided an update on the 2020 mid-year reviews.

C. Budget Calendar Update (B. Hasart)

Materials were presented during the meeting and added to the online agenda materials after the meeting.

Becky Hasart, Finance Director/Interim City Clerk, presented an updated 2021 budget calendar. There were no objections from the Committee.

D. Interfund Loan between fund 307 (borrower) and Fund 520 (lender) (B. Hasart)

This item was presented during the meeting, and not included on the original agenda.

Ms. Hasart explained the following:

The City of Monroe has secured grants totaling \$1,574,720 (net of granting agency fees) for improvements to the building leased by the Monroe Boys and Girls Club. These grants are on a reimbursement basis. There are no matching funds from the City for this project.

Capital projects accounting of this nature are done through Fund 307 Capital Improvements. This is the only project currently budgeted in this fund.

Because expenditures must be incurred before reimbursements can be made, Fund 307 has a need for interim financing to offset the timing differences between expenditure and reimbursement. Interfund loans may be used for this purpose as long as the lending fund has sufficient resources in excess of its current needs. It has been determined that Fund 520 Equipment and Fleet Management can provide temporary financing to Fund 307.

In order to execute an Interfund loan, the City Council must adopt a resolution that identifies why the borrowing fund needs the money, identifies that the lending fund has sufficient excess resources, identifies the interest rate associated with the loan, identifies the payment schedule for the loan, and identifies the end date of the loan. The attached Resolution identifies all these requirements.

The Interfund loan address cash flow issues only. There is no change to the budgets of either the borrowing or the lending fund.

Discussion ensued related to the following topics: interest repayment; and interest rate. Councilmember Cudaback requested to see the interest figure.

III. Next Committee Meeting

The next regularly scheduled meeting of the Committee is Tuesday, September 15, 2020, at 5:30 p.m.

Agenda Items: 6 year projections; and the Municipal Court Assessment

IV. Adjournment

There being no further business, Councilmember Cudaback moved to adjourn the meeting; the motion was seconded by Councilmember Scarboro. On vote, motion carried 3-0

The meeting adjourned at 6:23 p.m.



MONROE CITY COUNCIL
Finance & Human Resources
Committee Meeting
Tuesday, September 15, 2020, 5:30 P.M.

2020 Committee
 Councilmembers
 Jason Gamble
 Kirk Scarboro
 Patsy Cudaback

| | |
|-----------------|---|
| SUBJECT: | Review Final Court Assessment Report |
|-----------------|---|

| | | | | |
|--------------|--------------|-----------------|-------------------|--------------------|
| DATE: | DEPT: | CONTACT: | PRESENTER: | ITEM: |
| 09/15/2020 | Executive | Deborah Knight | Deborah Knight | Discussion Item #1 |

Discussion: 08/18/20; 07/21/2020;
Attachments: 1. [Court Assessment Summary PowerPoint](#)

REQUESTED ACTION: Review the Final Court Assessment report. Discuss the report findings and recommendations. Provide direction to Mayor Thomas and city staff on preferred alternatives.

POLICY CONSIDERATION

The Court Assessment was first presented to the city council on July 21, 2020. The city council directed Mayor Thomas and staff to bring the issue back to the city council for further discussion. The policy question for the city council is whether the city should continue to retain local control over court operations and make investments as recommended in the Court Assessment presented to the city council on July 21, 2020.

This is an opportunity for the Finance Committee to review staffing, financial analysis, court facilities and technology recommendations and ask questions about the facts and findings. The Finance Committee may want to use the report recommendations to inform priority investments in the 2021 budget and to update the six-year strategic plan for 2021-2026.

DESCRIPTION/BACKGROUND

Background

The City of Monroe formed a municipal court in 2014 under Chapter 3.50 RCW. The original intent of forming the Monroe Municipal Court was to handle a high volume of “red-light” tickets; process arraignments in a timely manner; control costs; and guide the city’s judicial philosophy.

The Monroe Municipal Court is a court of limited jurisdiction. The Municipal Court judge is authorized by Washington State statute to preside over misdemeanors, gross misdemeanors, traffic infractions and other City of Monroe Code violations. The Court is in session on Tuesday, Wednesdays, and Fridays. The judge is appointed by the mayor and confirmed by the city council.

The court has been in operation for five years under Judge Mara Rozzano. Pam Haley has served as the Court Administrator along with a full time court clerk and two part-time security officers. Judge Rozzano resigned in December 2019. The city council confirmed Jessica Ness to fill Judge Rozzano’s unexpired term which runs through the end of 2021.

The change in court leadership and interest from Lake Stevens and Sultan in contracting with the City of Monroe for court services provided an opportunity to evaluate program strategies to improve existing court outcomes and alternative service provision models available to the parties for adult infraction and misdemeanor court and probation services.



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In October of 2019, the City of Monroe issued a Request for Proposal (RFP) for a court assessment. The city received three proposals. The city council awarded a contract to The Other Company (Anne Pflug) and Karen Reed Consulting LLC.

The scope of work included:

- Assessing the Monroe Municipal Court including current and projected case-loads, staffing needs; work methods, programs; current facilities, future requirements; and a menu of potential program changes that can improve productivity and/or desired outcomes.
- Assessing the court needs of the cities of Lake Stevens and Sultan including court and customer service requirements; current and projected court cases; implications of court service changes; and implications for capacity of the Monroe court facilities and technologies.
- Financial, direct and indirect service and criminal justice outcomes, and impact comparisons of court service alternatives including expanding the Monroe Municipal Court (MMC) to provide services to Lake Stevens and Sultan; Court and probation service proposal from Evergreen District court (if provided); modifying the MMC to provide diversion court and/or probation services; continuing current levels of services, discussion of recommendations and next steps.

Development of the report included three phases – 1) Information and data collection from the three courts providing services – Monroe, Marysville, and Evergreen District Court; 2) Analysis and development of draft recommendations; and final report and presentations. The consultants conducted interviews and site visits; projected case-loads; and evaluated court facilities.

Nine court options were analyzed and three caseload scenarios. Six facilities options that met specific criteria were examined for Monroe.

After reviewing the report findings, the cities of Lake Stevens and Sultan have determined not to pursue a joint court with the City of Monroe. Since the proposed joint court is no longer an alternative this agenda bill is focused on the report findings and recommendations specific to the Monroe Municipal Court.

Report Findings

- Staffing. The Monroe court is understaffed. With only two full-time employees, there is a lack of redundancy if one person is on vacation or sick. Monroe's staff workload (case volume) is twice or more, than comparable municipal courts in Western Washington. The court administrator (Pam Haley) spends 40% of her time on probation-related work.
- Customer Service. Court staff are excellent and highly responsive, accessible, and flexible. Judge Ness (and previously, Judge Rozzano) are always available for warrants. This is a higher level of service than provided by the District Courts and important for effective police work.
- Costs. Of the three cities (Monroe, Lakes Stevens and Sultan), Monroe has the lowest jail cost per misdemeanor and the highest public defense cost per case. The cost to process a misdemeanor for each court (Monroe, Marysville, and Evergreen District Court) are relatively similar – Monroe (\$1,385); Marysville (\$1,308); and Evergreen (\$1,198).



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- District Court. The Evergreen District Court has the lowest cost per case. Snohomish County appears to be subsidizing the court with criminal justice sales taxes and state revenues. County court staff are paid less than Monroe court staff.
- Facilities. Current Monroe court facilities (shared council chambers and office space) are not adequate to meet court program, staffing and records needs. There are multiple demands for the use of the council chambers where court operations are conducted. Court security is limited. Security scan and video equipment must be set up and taken down each time. Court customers share lobby space with other city hall customers. The court office space is at capacity for staff and records.
- Technology. The court website offers limited information and self-help services. There are no automated on-line or phone services for customer payments. The court does use video appearance with jail.
- Probations Officer. Monroe has enough misdemeanor offenders (134 in early 2019) to warrant a formal probation program with professional staff – currently probation services are handled by the court administrator, Pam Haley, and Judge Ness. This is a top priority for the city's prosecutors. Police report that probation staffing would help address homeless population challenges. Probation officers frequently coordinate with social workers. When used correctly, probation is a tool to increase accountability and motivate offenders to change behavior.
- Court Sustainability. Monroe should determine the feasibility of funding sustainable court staffing, probation, and improving online/automated phone services.

Recommendations

- Court Services. Preserve the city's control of court services to ensure consistent application of the city's judicial philosophy, enforcement of quality of life issues, and customer service. Maintain and fully-fund the Monroe Municipal Court. Continue to implement programs to lower costs, increase efficiency, and improve customer service.
- Staffing. Improve Monroe's service levels to be comparable to service levels provided by Marysville and Evergreen District Court:
 - Add .25 FTE court specialist
 - Add a full-time probation officer
 - Continue funding embedded social workers in public defender office and police department
- Leverage Technology. Maximize the use of technology and digital methods for ticket processing and collection including self-help on line and phone access/processing to reduce staff and judicial time. Increase user friendliness of infraction information and web/phone processing to increase response rates, reduce in-person appearances and increase collections. Add online and automated phone payments on the court webpage to provide 24/7 self-service options for customers.

Note:

- Currently in selection process for online payment vendor
- Working with IT Department to upgrade phone system



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- Facilities. Secure or construct an adequate court facility.
- Mental Health or Community Court. Start an alternative court program within the existing court; or negotiate access to Mental Health Court through Snohomish County District Court or Marysville. A motivating atmosphere, low barrier access to services/treatment, and continued to community support after completion are essential for success.
Note: The court continues to gather statistics. Early numbers were inconclusive.
- Diversion Center. Leverage Carnegie and Diversion Center resources through Pioneer Human Services and other mental health providers.
Note: Currently using this service through the city's embedded social worker program.
- Case Work. Periodically convene social workers, probation staff, prosecutor, and service providers to develop problem-solving plans for repeat offenders.
Note: Discussing this program with the city's prosecuting attorney, defense attorney and defense social worker.
- Funding. Apply to Snohomish County Mental Health Chemical Dependency Sales Tax Advisory Board to secure funding from the regional tax supporting County Mental Health Court. Explore the feasibility of applying for chemical dependency/mental health sales tax monies and/or state funding programs to support programs for repeat offenders.

FISCAL IMPACTS

Table 1 below shows the comparison court costs for the three cities – Monroe, Lake Stevens and Sultan. As shown in Table 1, Monroe is subsidizing approximately \$150,000 of court expenditures with General Fund revenues. Monroe has the highest per court case (\$1384). These costs are projected to increase over the next six years.

While court costs have increased, there has been an off-set reduction in the city's jail costs. Over the last five years, the city's criminal justice costs (court + jail) have declined from 9% of the city's General Fund to 6% of the budget since 2016 even while jail costs are rising.

Table 2 below shows costs estimates to operate the Monroe Municipal Court. The Assessment Report shows the current court facilities are not sustainable. Table 3 provides several facility cost estimates.

The policy question for the city council is whether to maintain current court services and control over the city's court services. If the council wants to continue to operate a municipal court, future General Fund budgets will need to include staffing and facility improvements which have long-term fiscal impacts. Mayor Thomas and city staff are seeking input from the city council on future investments in the city's municipal court.



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Table 1_Court Operations Comparison

| Monroe Monroe Municipal Court | | Lake Stevens Marysville Municipal Court Contract | | Sultan Evergreen District Court Contract | |
|--------------------------------------|--------------------|---|------------------|---|------------------|
| 2019/20 | | 2019/20 | | 2019/20 | |
| Court/Probation Revenue | | Court/Probation Revenue | | Court/Probation Revenue | |
| Fines and Fee Revenue | \$240,290 | Fines and Fee Revenue | \$242,925 | Fines and Fee Revenue | \$25,963 |
| Probation Fee Revenue | \$17,076 | Probation Fee Revenue Collected | \$6,720 | Probation Fee Revenue Collected | \$2,304 |
| Total Revenue | \$257,366 | Probation Fee Revenue Retained by Marysville | -\$6,720 | Probation Fee Revenue Retained by Evergreen | -\$2,304 |
| | | Total Revenue | \$242,925 | Total Revenue | \$25,963 |
| Court Costs: | | Court Costs: | | Court Costs: | |
| Personnel - Judicial Officers | \$75,246 | Personnel - Judicial Officers | \$197,844 | Personnel - Judicial Officers | \$27,037 |
| Personnel - Court Operations | \$279,287 | Marysville Court Contract | \$23,152 | Evergreen District Court Contract | \$0 |
| Personnel - Probation | \$0 | Direct Non-contract Costs | \$220,996 | Direct Non-contract Costs | \$27,037 |
| Program Operating Costs | \$18,118 | Total Costs | | Total Costs | |
| IT and Facilities Operating - Court | \$33,621 | | | | |
| Total Costs | \$406,272 | Net Revenue (Expense) | \$21,929 | Net Revenue (Expense) | (\$1,674) |
| Court Net Revenue (Expense) | (\$148,906) | | | | |
| Per Case Cost | \$138 | Per Case Cost | \$81 | Per Case Cost | \$64 |
| Court and Associated Programs | | Court and Associated Programs | | Court and Associated Programs | |
| Court/Probation Net Expense | \$148,906 | Court/Probation Net (Revenue) | (\$21,929) | Court/Probation Net Expense | \$1,674 |
| Prosecutor | \$180,000 | Prosecutor | \$142,669 | Prosecutor | \$68,804 |
| Public Defense | \$213,400 | Public Defense | \$127,627 | Public Defense | \$25,440 |
| Jail | \$372,936 | Jail | \$427,687 | Jail | \$92,227 |
| Total Net Cost | \$915,242 | Total Net Cost | \$676,054 | Total Net Cost | \$188,145 |
| Per Misdemeanor Cost | \$1,384.63 | Per Misdemeanor Cost | \$1,307.65 | Per Misdemeanor Cost | \$1,198.38 |

Table 2 Monroe Municipal Court Operating Budget Projections

| Monroe Stand Alone Municipal Court | | | | |
|--|--------------------|--------------------|--------------------|--------------------|
| Forecast Assuming Building Block Staffing Scenario | | | | |
| | Base Year | Low 2026 | Moderate 2026 | High 2026 |
| Court/Probation Revenue | | | | |
| Fines and Fee Revenue | \$240,290 | \$240,752 | \$240,752 | \$274,126 |
| Probation Fee Revenue | \$17,076 | \$17,076 | \$17,076 | \$17,185 |
| Total Revenue | \$257,366 | \$257,828 | \$257,828 | \$291,311 |
| Court Costs | | | | |
| Personnel - Judicial Officers | \$75,246 | \$75,246 | \$75,246 | \$75,246 |
| Personnel - Court Operations | \$279,287 | \$279,287 | \$297,715 | \$301,312 |
| Personnel - Probation | \$0 | \$0 | \$75,600 | \$75,600 |
| Program Operating Costs | \$18,118 | \$18,118 | \$18,118 | \$21,743 |
| IT and Facilities Operating - Court | \$33,621 | \$33,621 | \$44,621 | \$44,621 |
| Total Costs | \$406,272 | \$406,272 | \$511,300 | \$518,522 |
| Court Net Revenue (Expense) | (\$148,906) | (\$148,444) | (\$253,472) | (\$227,211) |
| Average Per Case Cost | \$138 | \$154 | \$136 | \$136 |
| Court and Associated Programs | | | | |
| Court/Probation Net Expense | \$148,906 | \$148,444 | \$253,472 | \$227,211 |
| Prosecutor | \$180,000 | \$180,121 | \$179,183 | \$208,048 |
| Public Defense | \$213,400 | \$188,886 | \$214,562 | \$245,397 |
| Jail | \$372,936 | \$331,749 | \$371,243 | \$431,049 |
| Total Net Cost | \$915,242 | \$829,180 | \$1,018,460 | \$1,111,705 |
| Per Misdemeanor Cost | \$1,384.63 | \$1,410.17 | \$1,524.64 | \$1,455.11 |

- Monroe court costs are currently not offset by court collected revenue (\$148,000 net costs in 2019).
- Monroe court costs will continue to increase as the case load rises due to population increases.
- Of the three cities, Monroe has the lowest jail cost per misdemeanor and the highest public defense cost per case.
- Overall cost savings to Monroe combined court and jail expenses.
- Strategies that reduce workload or manage service demand can lead to reduced cost.
- District Courts are subsidized by criminal justice tax and state shared revenues. Current District Court contract costs less than Municipal Court. Projected net revenue over costs of \$57,000 in 2019.

Cost to Contract with the District Court (with filing fees)

The District Courts charge city's a "filing fee" to process city cases in the District Court. When the cost of the filing fees are added, the cost to operate the municipal court compared to the



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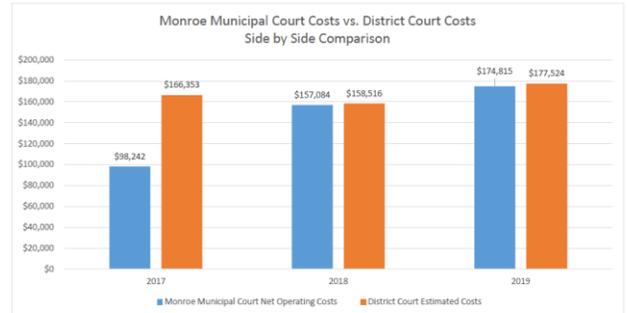
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cost of contracting with the District Court would have been slightly lower in 2017(\$98,242 vs. \$166,353) and comparable in 2018 and 2019 as show on Table 3 and Graph 1 below.

Table 3. Cost to Contract with District Court

| Monroe Municipal Court Operating Costs 2019 | | | |
|--|-------------|-------------|-------------|
| Expense | 2019 | 2018 | 2017 |
| Municipal Court Salaries | (\$197,006) | (\$185,320) | (\$171,141) |
| Municipal Court Benefits | (\$82,236) | (\$78,003) | (\$73,549) |
| Municipal Judge Salary | (\$63,888) | (\$63,360) | (\$56,500) |
| Pro Tem Judge Salary | (\$5,550) | (\$1,250) | (\$2,300) |
| Other Operational Costs | (\$50,848) | (\$39,566) | (\$40,004) |
| Total Operational Cost | (\$399,528) | (\$367,499) | (\$343,494) |
| Local Revenue | \$224,713 | \$210,415 | \$245,252 |
| Adjusted Operational Cost | (\$174,815) | (\$157,084) | (\$98,242) |
| District Court Contracted Costs 2019 | | | |
| Expense | 2019 | 2018 | 2017 |
| Total Incurred Infractions Fees | (\$97,807) | (\$84,642) | (\$112,355) |
| Total Incurred Criminal Fees | (\$79,717) | (\$73,874) | (\$53,998) |
| Total Incurred Filing Fees | (\$177,524) | (\$158,516) | (\$166,353) |
| | 2017 | 2018 | 2019 |
| Monroe Municipal Court Net Operating Costs | \$98,242 | \$157,084 | \$174,815 |
| District Court Estimated Costs | \$166,353 | \$158,516 | \$177,524 |

Graph 1. Cost to Contract with District Court



Facility Needs

- Monroe’s existing court facility has one courtroom that is combined with the council chambers. The courtroom has limited additional capacity because it is jointly used.
- Caseload projections show a need for additional staff offices, courtroom hours, records and private meeting space beyond the space that is currently available.
- The status quo facility at Monroe City Hall is not sustainable
- Increasing staff and service capacity is to the point where additional space is required.
- While not ideal, court can continue to be held in the Monroe City Council Chambers until caseloads outgrow the Chambers availability, so long as additional staff and records space is provided.

Table 4. Facility Options

✓ From *least* to *most* expensive, here are the Monroe facilities options (rough estimated total project cost):

| Facility Options | Total Estimated Cost |
|--|-------------------------------|
| Small or Large Portable on City Campus, non-developed location | \$0.75-\$1M plus site prep. |
| Large Portable on old public works site on City Campus | \$0.75 - \$1M plus demolition |
| Remodel/Expand Monroe City Hall/Police (Court portion only) | \$1.61M |
| Replacement Monroe City Hall/Police Combined Building (Court portion only) | \$2.1M |
| Purchase or Lease of an existing building in Monroe | Unknown |



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- Portables have important pros and cons – less expensive than permanent construction; lower quality construction; not a permanent solution.
- Acquisition of an existing building – if available, would provide new, dedicated court rooms, and long-term flexibility.
- Build a new court facility on the city hall campus. The city completed a facility assessment in 2019. The assessment included options to build a new court and council facility between the existing police station and city hall. Mayor and staff recommend designing the new court and council chambers in 2021. City staff would develop a funding strategy which would include a legislative proviso from the State capital budget in 2021, grant funding, and councilmatic or voter approved bonds.

TIME CONSTRAINTS

The purpose of presenting the Court Assessment is to provide the city council with information on court operations and facility needs prior to the 2021 budget discussions.

ALTERNATIVES

Discuss the report findings and recommendations. Request additional information or direct Mayor and city staff to address areas of concern before accepting the Final Report.



Court Assessment

CITY COUNCIL MEETING
SEPTEMBER 15, 2020

Policy Question

SHOULD THE CITY CONTINUE TO RETAIN LOCAL CONTROL OVER COURT OPERATIONS?

SHOULD THE CITY MAKE CHANGES AND INVESTMENTS AS RECOMMENDED IN THE COURT ASSESSMENT?

Recommendations

Court Services

- Preserve control of court services
- Judicial philosophy
- Enforcement of quality of life issues
- Customer service

Staffing

- Improve levels of service to match Marysville and Evergreen District Court
- Add .25 FTE court specialist
- Add a probations officer
- Continue to fund embedded social workers (PD and defense)

Technology

- Add automated phone and Internet payments to website for 24/7 services (working on this now)

Facilities

- Secure or construct adequate facilities

Additional Recommendations

- Wrap around services for high volume offenders
- Evaluate diversion court options
- Evaluate public defender costs and contract

Findings

- Criminal Activity and Court Case levels
- Court Services
- **Staffing and Customer Service**
- **Financial Analysis (costs)**
- **Court Facilities**
- **Technology**
- **Alternatives**
- **Recommendations**

Court Services Staffing and Customer Service

Court Services

| Service | Delivery |
|--|--|
| Over-the-counter and phone-based court services | Monday to Friday 8am-5pm Closed for lunch 11:30-12:30 |
| Court is in session at Monroe City Council Chambers in City Hall | Tuesday mornings Wednesdays (8:45am – 4:00pm) |
| Jury trails (very rare) | 2 nd or 4 th Fridays |
| Video appearances for persons housed in Snohomish County Jail | Two sessions per week (up to 3 hours) |
| Defense attorneys | Meet with clients in the City Hall lobby or a room accessed from the lobby |
| Indigent Defense screening | Performed by Judge Ness |
| Automated phone transactions and payments | Not available |

Staffing and Customer Service

Monroe's staff workload (case volume) is double that of comparable municipal courts in Western Washington

No back up support for sick, vacation, or training without impacting core services

No professional probation staffing.

Monroe is the only court in Snohomish County without probation staffing.

| City | Total Staff | Cases/FTE |
|------------|-------------|-----------|
| Monroe | 2.25* | 2936 |
| Bainbridge | 5 | 141 |
| Bothell | 7 | 658 |
| Edmonds | 6 | 957 |
| Lynwood | 11 | 953 |
| Shelton | 3.85 | 559 |

*Monroe Staff

1 FTE Court Administrator

1 FTE Court Clerk

.25 FTE Security

Probations

Monroe is the only court in Snohomish County without probation staffing

Court Administrator spends 40% of her time managing probations case load

Probations Officer may serve as additional social worker helping clients change their lives

- Assist the court and clients with completing required mental health, behavioral health, and substance abuse and other comprehensive assessments
- Assists clients with securing housing, employment, work training and education
- Make treatment recommendations such as mandatory inpatient rehabilitation
- Arrange for regular (weekly) check-ins to reduce the risk of recidivism
- Accompany clients to court hearings
- Submit violations of probation and testify at hearings
- Maintain records of risk screenings, assessments, case planning, interventions, and histories.

Fiscal Analysis

Monroe Costs (2019 Actual)

COURT REVENUES and COSTS

Court/Probation Revenue

| | |
|-----------------------|------------------|
| Fines and Fee Revenue | \$240,290 |
| Probation Fee Revenue | \$17,076 |
| Total Revenue | \$257,366 |

Court Costs

| | |
|-------------------------------------|------------------|
| Personnel - Judicial Officers | \$75,246 |
| Personnel - Court Operations | \$279,287 |
| Personnel – Probation | \$0 |
| Program Operating Costs | \$18,118 |
| IT and Facilities Operating – Court | \$33,621 |
| Total Costs | \$406,272 |

Court Net Revenue (Expense) (\$148,906)

Per Case Cost \$138

Criminal Justice System Costs--Court and Associated Programs (excluding police)

| | |
|-----------------------------|------------------|
| Court/Probation Net Expense | \$148,906 |
| Prosecutor | \$180,000 |
| Public Defense | \$213,400 |
| Jail | \$372,936 |
| Total Net Cost | \$915,242 |

Per Misdemeanor Cost \$1,384.63

Cost Comparison

| Monroe | | Lake Stevens | | Sultan | |
|--------------------------------------|---------------------------|--|-------------------------|---|-------------------------|
| Monroe Municipal Court | | Marysville Municipal Court Contract | | Evergreen District Court Contract | |
| | <u>2019/20</u> | | <u>2019/20</u> | | <u>2019/20</u> |
| Court/Probation Revenue | | Court/Probation Revenue | | Court/Probation Revenue | |
| Fines and Fee Revenue | \$240,290 | Fines and Fee Revenue | \$242,925 | Fines and Fee Revenue | \$25,363 |
| Probation Fee Revenue | \$17,076 | Probation Fee Revenue Collected | \$6,720 | Probation Fee Revenue Collected | \$2,304 |
| Total Revenue | <u>\$257,366</u> | Probation Fee Revenue Retained by Marysville | -\$6,720 | Probation Fee Revenue Retained by Evergreen | -\$2,304 |
| | | Total Revenue | <u>\$242,925</u> | Total Revenue | <u>\$25,363</u> |
| Court Costs | | Court Costs | | Court Costs | |
| Personnel - Judicial Officers | \$75,246 | Marysville Court Contract | \$197,844 | Evergreen District Court Contract | \$27,037 |
| Personnel - Court Operations | \$279,287 | Direct Non-contract Costs | \$23,152 | Direct Non-contract Costs | \$0 |
| Personnel - Probation | \$0 | Total Costs | <u>\$220,996</u> | Total Costs | <u>\$27,037</u> |
| Program Operating Costs | \$18,118 | | | | |
| IT and Facilities Operating - Court | \$33,621 | Net Revenue (Expense) | <u>\$21,929</u> | Net Revenue (Expense) | <u>(\$1,674)</u> |
| Total Costs | <u>\$406,272</u> | | | | |
| Court Net Revenue (Expense) | <u>(\$148,906)</u> | | | | |
| Per Case Cost | \$138 | Per Case Cost | \$81 | Per Case Cost | \$64 |
| Court and Associated Programs | | Court and Associated Programs | | Court and Associated Programs | |
| Court/Probation Net Expense | \$148,906 | Court/Probation Net (Revenue) | (\$21,929) | Court/Probation Net Expense | \$1,674 |
| Prosecutor | \$180,000 | Prosecutor | \$142,669 | Prosecutor | \$68,804 |
| Public Defense | \$218,400 | Public Defense | \$127,627 | Public Defense | \$25,440 |
| Jail | \$372,936 | Jail | \$427,687 | Jail | \$92,227 |
| Total Net Cost | <u>\$915,242</u> | Total Net Cost | <u>\$676,054</u> | Total Net Cost | <u>\$188,145</u> |
| Per Misdemeanor Cost | \$1,384.63 | Per Misdemeanor Cost | \$1,307.65 | Per Misdemeanor Cost | \$1,198.38 |

Estimated Future Costs

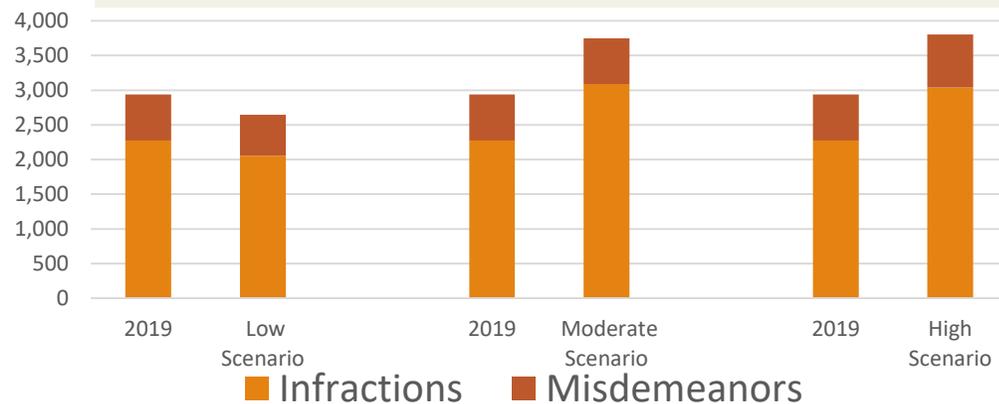
ASSUMPTIONS FOR 2026

Low Growth – Case load down by 10%

Moderate Growth – Case load

High Growth – Case load up by 30%

2026 Monroe Court Caseload Forecast Scenarios



Monroe Stand Alone Municipal Court Forecast Assuming Building Block Staffing Scenario

| | Base Year | Low 2026 | Moderate 2026 | High 2026 |
|-------------------------------------|------------------|------------------|------------------|------------------|
| Court/Probation Revenue | | | | |
| Fines and Fee Revenue | \$240,290 | \$240,752 | \$240,752 | \$274,126 |
| Probation Fee Revenue | \$17,076 | \$17,076 | \$17,076 | \$17,185 |
| Total Revenue | \$257,366 | \$257,828 | \$257,828 | \$291,311 |
| Court Costs | | | | |
| Personnel - Judicial Officers | \$75,246 | \$75,246 | \$75,246 | \$75,246 |
| Personnel - Court Operations | \$279,287 | \$279,287 | \$297,715 | \$301,312 |
| Personnel - Probation | \$0 | \$0 | \$75,600 | \$75,600 |
| Program Operating Costs | \$18,118 | \$18,118 | \$18,118 | \$21,743 |
| IT and Facilities Operating - Court | \$33,621 | \$33,621 | \$44,621 | \$44,621 |
| Total Costs | \$406,272 | \$406,272 | \$511,300 | \$518,522 |

| | | | | |
|------------------------------------|--------------------|--------------------|--------------------|--------------------|
| Court Net Revenue (Expense) | (\$148,906) | (\$148,444) | (\$253,472) | (\$227,211) |
| Average Per Case Cost | \$138 | \$154 | \$136 | \$136 |

Court and Associated Programs

| | Base | Low 2026 | Moderate 2026 | High 2026 |
|-----------------------------|------------------|------------------|--------------------|--------------------|
| Court/Probation Net Expense | \$148,906 | \$148,444 | \$253,472 | \$227,211 |
| Prosecutor | \$180,000 | \$160,121 | \$179,183 | \$208,048 |
| Public Defense | \$213,400 | \$188,866 | \$214,562 | \$245,397 |
| Jail | \$372,936 | \$331,749 | \$371,243 | \$431,049 |
| Total Net Cost | \$915,242 | \$829,180 | \$1,018,460 | \$1,111,705 |

| | | | | |
|-----------------------------|-------------------|-------------------|-------------------|-------------------|
| Per Misdemeanor Cost | \$1,384.63 | \$1,410.17 | \$1,524.64 | \$1,455.11 |
|-----------------------------|-------------------|-------------------|-------------------|-------------------|

Costs to Operate Municipal vs. Dist. Court

District Court has the lowest operating cost

The cost difference is significant in the aggregate and per case.

Key reasons for the cost difference:

- County appears to be subsidizing the court with regional CJ taxes and state revenue
- County court staff are paid less

Monroe Contract with District Court

Forecast District Court Contract

| | Base Year | Low 2026 | Moderate 2026 | High 2026 |
|---|-----------------------------|----------------------------|---------------------------------|-----------------------------|
| Court/Probation Revenue | | | | |
| Fines and Fee Revenue | \$240,290 | \$222,086 | \$263,760 | \$319,536 |
| Probation Fee Revenue Collected | \$17,076 | \$15,240 | \$17,018 | \$19,812 |
| Probation Fee Revenue Retained by Evergreen | -\$17,076 | -\$15,240 | -\$17,018 | -\$19,812 |
| Total Revenue | \$240,290 | \$222,086 | \$263,760 | \$319,536 |
| Costs | | | | |
| Evergreen District Court Contract | \$174,402 | \$173,955 | \$231,226 | \$243,077 |
| Direct Non-contract costs | \$9,091 | \$8,087 | \$9,050 | \$10,508 |
| Total Costs | \$183,493 | \$182,042 | \$240,275 | \$253,585 |
| Net Revenue (Expense) | \$56,797 | \$40,044 | \$23,485 | \$65,951 |
| Average Per Case Cost | \$62 | \$69 | \$64 | \$67 |
| Court/Probation Net Revenue | Base Year (\$56,797) | Low 2026 (\$40,044) | Moderate 2026 (\$23,485) | High 2026 (\$65,951) |
| Prosecutor | \$180,000 | \$160,121 | \$179,183 | \$208,048 |
| Public Defense | \$212,313 | \$188,866 | \$211,350 | \$245,397 |
| Jail | \$372,936 | \$331,749 | \$371,243 | \$431,049 |
| Sub total | \$765,249 | \$680,736 | \$761,776 | \$884,494 |
| Total Net Cost | \$708,453 | \$640,692 | \$738,291 | \$818,542 |
| Per Misd | \$1,072 | \$1,090 | \$1,122 | \$1,071.39 |

Cost to Contract with District Court (with filing fees)

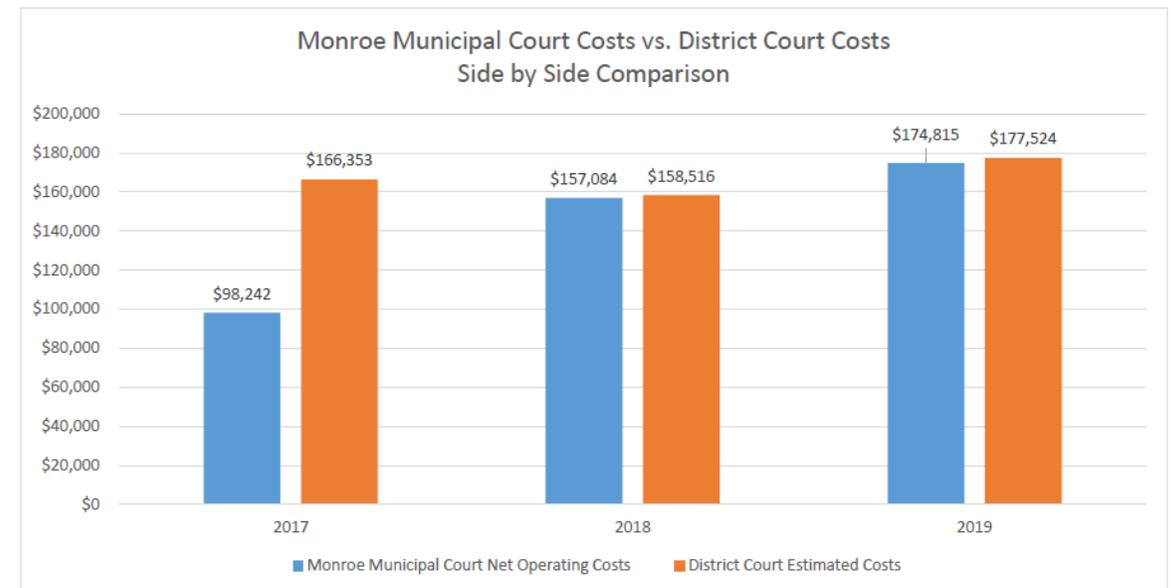
Monroe Municipal Court Operating Costs 2019

| Expense | 2019 | 2018 | 2017 |
|---------------------------|-------------|-------------|-------------|
| Municipal Court Salaries | (\$197,006) | (\$185,320) | (\$171,141) |
| Municipal Court Benefits | (\$82,236) | (\$78,003) | (\$73,549) |
| Municipal Judge Salary | (\$63,888) | (\$63,360) | (\$56,500) |
| Pro Tem Judge Salary | (\$5,550) | (\$1,250) | (\$2,300) |
| Other Operational Costs | (\$50,848) | (\$39,566) | (\$40,004) |
| Total Operational Cost | (\$399,528) | (\$367,499) | (\$343,494) |
| Local Revenue | \$224,713 | \$210,415 | \$245,252 |
| Adjusted Operational Cost | (\$174,815) | (\$157,084) | (\$98,242) |

District Court Contracted Costs 2019

| Expense | 2019 | 2018 | 2017 |
|---------------------------------|-------------|-------------|-------------|
| Total Incurred Infractions Fees | (\$97,807) | (\$84,642) | (\$112,355) |
| Total Incurred Criminal Fees | (\$79,717) | (\$73,874) | (\$53,998) |
| Total Incurred Filing Fees | (\$177,524) | (\$158,516) | (\$166,353) |

| | 2017 | 2018 | 2019 |
|--|-----------|-----------|-----------|
| Monroe Municipal Court Net Operating Costs | \$98,242 | \$157,084 | \$174,815 |
| District Court Estimated Costs | \$166,353 | \$158,516 | \$177,524 |



Court Facilities

Court Facilities



Court Facility Comparison

| | Monroe Municipal | Marysville Municipal | Evergreen Dist. Ct. |
|-------------------------|--|--|--|
| Current Facility | <ul style="list-style-type: none"> • Court held in Council chambers. • Significant competition for use of Council chambers • Lobby space use combined with other City Hall visitors • Security scan and video equipment must be set up and taken down each day • Security concerns noted by several partners – no video monitor or panic button • Office space for staff and customer area inadequate • Records space inadequate • Police dept. has three short-term holding cells • Parking can overflow | <ul style="list-style-type: none"> • Dedicated 2-courtroom facility • Security video, panic button in both courtrooms • Video appearance equipment installed • Adjacent jail with holding cells • Adequate customer service and private meeting space for attorneys • Parking adequate <p><i>New court facility is under construction. Will have similar features.</i></p> | <ul style="list-style-type: none"> • Dedicated 2-courtroom facility • Judge Clough currently hears city cases and will be retiring in 2021 or 2022. • No security video • No panic button in courtroom • No video appearance capacity: video appearances conducted in other divisions of District court • Large customer service area and private meeting space for attorneys • Sultan cases not on dedicated calendars • No holding cells, no adjacent jail • Parking adequate |

Monroe Court Facility Needs Assessment

- No dedicated facility
- No jury room
- No lobby space
- No permanent security
- No permanent video
- Inadequate office space
- Inadequate records storage
- Inadequate parking

| Facility Needs | YES | NO |
|--------------------------------------|-----|----|
| Dedicated Court Room(s) | | X |
| Jury Room | | X |
| Meeting space for public defender | X | |
| Dedicated lobby space | | X |
| Permanent security and panic button | | X |
| Video appearance equipment installed | | X |
| Adequate office space | | X |
| Adequate record storage | | X |
| Adequate parking space | | X |

Recommended Court Facilities

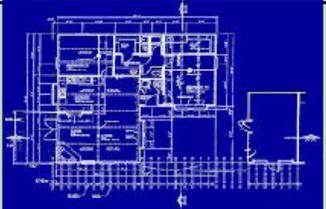
4,000-5,000 sq. ft.

- one courtroom and customer counter,
- staff and judge offices,
- records storage,
- in-custody defendant access/security, public security

- probation meeting rooms, meeting space for defense attorneys, private meeting space for victims/witnesses/children
- Jury room, adjacent restrooms.
- Adequate parking, ADA access and transit service
- Technology for staff/attorneys and general public, WiFi, printing/scanning equipment, video and audio equipment.
- Lobby and restrooms

✓ From *least* to *most* expensive, here are the Monroe facilities options (rough estimated total project cost):

| Facility Options | Total Estimated Cost |
|--|-------------------------------|
| Small or Large Portable on City Campus, non-developed location | \$0.75-\$1M plus site prep. |
| Large Portable on old public works site on City Campus | \$0.75 - \$1M plus demolition |
| Remodel/Expand Monroe City Hall/Police (Court portion only) | \$1.61M |
| Replacement Monroe City Hall/Police Combined Building (Court portion only) | \$2.1M |
| Purchase or Lease of an existing building in Monroe | Unknown |

| Monroe Facilities Options A-C | | | | Adequate for Monroe with staff/ program additions | Adequacy for Joint Court | When available? | Rough Estimated Cost | Annual Cost (2) |
|--|--|---------|--|---|--------------------------|---|---|-----------------|
| Option | Title | Sq. Ft. | Planned Joint Use Space | | | | | |
|  Option A | Status Quo-- Existing Court Space - Joint Use of Monroe Council Chambers | 1,456 | Customer Service/waiting area and restrooms; 1,001 sq. ft. Council Chambers and adjacent Conference Room. Off-site records. Existing parking and gravel overflow area. | No | No | 2020, however no space for added staff or programs. | \$0 | \$0 |
|  Option B | Replacement Monroe City Hall/Police Combined Building | 4,200 | Shared public restroom; employee break room, records storage; conference rooms and customer service/waiting area. Planned parking. (New dedicated courtroom space) | Yes | Yes | No sooner than 2023 | \$2.1 million (court portion of project only) | \$166,308 |
|  Option C | Remodel/ Expand Monroe City Hall/Police | 4,200 | Shared public restroom; employee break room, records storage; conference rooms and customer service/waiting area. Planned parking. (New dedicated courtroom space). | Yes | Yes | No sooner than 2023 | \$1.61 million (court portion of project only) | \$127,500 |

| Monroe Facilities Options D-F | | | | Adequate for Monroe with staff/program additions | Adequacy for Joint Court | When available? | Rough Estimated Cost | Annual Cost (2) |
|--|---|----------------|--|--|--------------------------|-----------------------------------|--|-----------------|
| Option | Title | Sq. Ft. | Planned Joint Use Space | | | | | |
|  Option D | Court in Portable -- Existing Monroe City Hall Campus land | 2,000 - 5,000 | Smaller portable option would house staff and customer service area. Joint use of Council Chambers and adjacent space/parking would continue. Larger portable would house all uses (except parking). | Yes | Yes | No sooner than 2021 | 5000 sq. ft. portable-- \$750,000 to \$1 million | \$127,284 |
|  Option E | Court in Portable -- Old Monroe Public Works Bldg. Location | 4,000 - 5,000 | All uses except parking. (Note: new construction on this site is part of options B and C) | Yes | Yes | No sooner than 2021 | 5,000 sq. ft. portable— \$750,000 to \$1 million (Requires demolition of existing unused structure.) | \$178,188 |
|  Option F | Acquire an existing building in Monroe | 4,000 to 6,000 | Space for all court uses and parking; a portion of space may be re-purposed for other city uses or leased. | Yes | Yes | Now or after needed modifications | Unknown | NA |

Technology

The court website offers limited information and self-help services.

There are no automated on-line or phone services for customer payments.

The court **does use video** appearance with jail.

Technology Recommendations

- Contact information for court, hours, court calendar are all online
- Fines and penalties can be paid online, by phone or mail.
- Infraction payments, mitigation, contest can be submitted online
- Can request court records online
- Can watch court proceedings live online
- Can download many court forms online
- Public defender information available
- Jury duty information available

Alternatives

Monroe Option 1: Contract with Evergreen District Court

| Advantages for Monroe | Disadvantages for Monroe |
|---|---|
| <ul style="list-style-type: none"> • Least cost option. • Evergreen provides probation services at no cost to city • Court location is in Monroe very near City Hall • Reduce confusion with only one local court in the City • No need to add staffing, services • No need for additional court facilities • Better online services • Jail sentencing practice of current judges similar to Monroe | <ul style="list-style-type: none"> • Less local control -- No ability to hire/fire judge, control court procedures or costs • Less continuity in terms of judges for Monroe cases (video appearance are heard by judges in Everett, South Divisions) • Potentially less judicial engagement on building new cross-system interventions to address Monroe’s criminal justice issues • County collects revenue per case at a somewhat lower rate and has a modestly higher number of hearings per misdemeanor |
| <p>Potential Advantages:</p> | <p>Potential Disadvantages:</p> |
| <ul style="list-style-type: none"> • <i>Could seek access to County mental health county regional tax</i> • <i>Could seek access to regional relicensing program (currently under discussion, not yet launched) to handle some DWLS3 cases</i> • <i>Enhanced leverage if negotiating with other cities</i> • <i>Could retain Traffic Violation Bureau to enhance fine collection.</i> | <ul style="list-style-type: none"> • <i>County could elect to close Evergreen Division and hold all cases in Everett (previously studied by County, but currently not an active conversation)</i> |

Monroe Option 2: Adjust Municipal Court Offerings/Staffing to Stabilize and Improve Service, but Don't Extend Services to Other Cities

| Advantages | Disadvantages |
|---|--|
| <ul style="list-style-type: none"> • Maintain local control over costs, judge selection, court procedures • Improves service levels for customers over status quo; court becomes sustainable. • Can maintain focus on bringing together in-city resources/agencies to address homeless population or specific high-volume crimes. • Retains consistency in judicial oversight of cases/offenders. • Can implement small community/diversion court calendars unique to Monroe's needs | <ul style="list-style-type: none"> • More expensive than Evergreen Court • Opportunities for economies of scale not taken • Loss of direct access to the advantages of regional revenue support for criminal justice programs and services. • Loss of direct access to mature Probation treatment programs and services • Requires facility and modest technology investments • Community/diversion court services would need to be funded and implemented by county |
| <p><i>Potential Advantages</i></p> | <p><i>Potential Disadvantages</i></p> |
| <ul style="list-style-type: none"> • <i>Could seek access to County or Marysville mental health revenues, courts and/or probation services through small contracts (rather than recreate)</i> | <ul style="list-style-type: none"> • <i>Loss of access to potential future County Mental Health court services funded by regional/state revenue</i> |

Recommendations

Recommendations

Court Services

- Preserve control of court services
- Judicial philosophy
- Enforcement of quality of life issues
- Customer service

Staffing

- Improve levels of service to match Marysville and Evergreen District Court
- Add .25 FTE court specialist
- Add a probations officer
- Continue to fund embedded social workers (PD and defense)

Technology

- Add automated phone and Internet payments to website for 24/7 services (working on this now)

Facilities

- Secure or construct adequate facilities

Additional Recommendations

- Wrap around services for high volume offenders
- Evaluate diversion court options
- Evaluate public defender costs and contract

Recommendations

| | Description | 2020 | 2021 | 2023 | 2024 | 2025 |
|---|--|--------------------|------------------|------------------|------------------|------------------|
| Municipal Court Operations | Control judicial philosophy Manage criminal justice costs | \$406,272 | \$446,900 | \$491,590 | \$540,750 | \$592,040 |
| Probations Officer 1 FTE w/ benefits | Hold offenders accountable; reduce recidivism | | \$125,000 | \$125,000 | \$125,000 | \$125,000 |
| Court Clerk .25 FTE | Assist with records management Provide customer service during court Provide back-up for sick/vacation days | \$0 | \$0 | \$0 | \$0 | \$0 |
| Technology | Pay by phone and on-line Add forms | \$3,500 (CARES) | \$0 | \$0 | \$0 | \$0 |
| Subtotal Ops | | \$409,722 | \$571,900 | \$616,590 | \$665,750 | \$717,040 |
| Court Facility | Include with city hall design/const. Court room, jury room, restroom, office space, interview room, safety features, AV eqmpt. | \$0 | \$250,000 | \$250,000 | \$1,000,000 | \$1,000,000 |