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OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor & City Council (for review by the F&A Committee)

Date: November 13th, 2019

RE: Clarkson Valley Court – Contract for Services

In the last few months, the City was contacted by Mayor Scott Douglas of Clarkson Valley (CV), regarding a contract to provide court clerk services for the City of Clarkson Valley. Apparently, the CV Court Clerk intends to retire at the end of the year and Clarkson Valley was exploring their options regarding court staffing. Over the course of the last few months, we have communicated on a routine basis and we've mutually agreed that it was undesirable and likely not cost efficient for the City of Chesterfield to simply provide Court Clerk staffing if Clarkson Valley desired to continue to maintain their court location, Prosecutor and Judge.

Subsequently, we have come to a tentative configuration where the City of Chesterfield would provide court administration services to Clarkson Valley, concurrent with the City of Chesterfield's court activities. Clarkson Valley would abandon their own physical court, and would conduct their court concurrent with the Chesterfield Court. Clarkson Valley would appoint Chesterfield's Prosecutor (Engelmeyer) and Municipal Judge (Brunk) tandem as their appointees. Existing Chesterfield Court staff would then assume responsibilities for administration of the Clarkson Valley docket. There are many internal details and coordination issues that we have considered and are working through, including the transfer of records, legacy systems, and show me courts implementation. Please recognize that this is NOT a consolidation of the courts, but simply a contract service proposal at this time.

It should be noted, for full transparency, current Chesterfield City Attorney Chris Graville, currently serves as the CV Prosecuting Attorney. Even though Mr. Graville's position as Prosecutor for Clarkson Valley would be terminated, he has been a strong proponent and initiator of this proposal. I have developed a recommended cost proposal for the City of Clarkson Valley, at an initial annual cost of $42,000 which would be incremented annually by the CPI. In essence, the City of Chesterfield would charge Clarkson Valley $42,000 to administer their court concurrent with the Chesterfield Court. This fee represents increased compensation

for each of the court personnel assuming additional responsibilities and duties under the contract. Clarkson Valley would continue to receive all net court revenue generated by Clarkson Valley cases. For the purposes of the Finance and Administration meeting, I will not publicly share the individual breakdown of the compensation increases. I will provide this sensitive and privileged information under separate cover. However, I am comfortable in stating that I believe the cost proposal is fair, equitable, and mutually beneficial to both cities. I am happy to share such details independently, but it should be readily evident that it is unwise to share internal cost calculations while concurrently negotiating contract terms. Likewise, sharing the proposed individual employee compensation values is unwise unless and until the Cities have agreed upon terms.

As you already know, the City of Chesterfield already provides police services to Clarkson Valley on a contractual basis. It is beneficial to Chesterfield Police that the Clarkson Valley court be conducted concurrently with the Chesterfield court. It reduces redundant court security staffing and is much more convenient for those officers who must testify.

I have been advised by Mayor Douglas that the Clarkson Valley Council has authorized him to proceed as currently proposed. If this concept is recommended by the Finance and Administration Committee, I anticipate scheduling an Executive (Closed) session to provide the Council with the internal compensation adjustments, and seek Council authorization to execute a contract with Clarkson Valley to effect this work. City Attorney Graville is developing a contract based on the terms conceptually agreed to thus far. If approved, our intent is to move forward as of the first of the 2020 calendar year. Also, if approved, the 2020 budget would be amended to reflect the revenues and expenditures related to this proposal.

If you have any questions or require additional information, please advise.

attachments

Mike Geisel

From:	Mike Geisel
Sent:	Tuesday, November 05, 2019 11:09 AM
To:	Scott Douglas
Cc:	Chris Graville; Custodian of Records (cor@chesterfield.mo.us); Ray Johnson; Bob Nation; Michael Moore
Subject:	Clarkson Valley court and clerk proposal.

Mayor Douglas:

Per our ongoing conversation, I have internally reviewed providing court clerk services for Clarkson Valley, per our previous e mail conversation, copied below for our mutual convenience. I delayed sending this response to our conversation last Thursday, until I had confirmation from the prosecuting attorney and municipal judge that they were willing to accept the Clarkson Valley appointment, should Clarkson Valley agree to proceed. I have received confirmation from both, that they are willing to do so.

From: *Mike Geisel*
Subject: *Clarkson Valley Court*

Mayor Douglas:

I apologize for this taking longer than I expected, but I've had to communicate with multiple folks to get to this point. In addition, one of our court employees has resigned\retired, so we're scrambling a little to make sure we don't miss a beat as we've gone live with our Show Me Courts activities. Frankly, it has gone much smoother than we anticipated.

Based on my conversations, I think it would be practical (subject to approval of the proposal by our City Council) for the City of Chesterfield to provide you (City of Clarkson Valley) court services, based on the following premise:

City of Clarkson Valley Court would be moved to the Chesterfield City Hall location. We would either combine the Clarkson Valley Court docket with an existing docket, or add another docket to our calendar.

In order for this to function efficiently, Clarkson Valley would necessarily appoint the City of Chesterfield's Prosecuting Attorney & Judge as Clarkson Valley's Prosecutor and Judge. We simply don't have the ability to support two sets of judicial activities, and our court clerks work for two different bosses.

As you know, we're moving to Show Me Courts, as is Clarkson Valley. But we have to maintain your court legacy records, which I believe you have through a REJIS system. We would require that Clarkson Valley contract with, or at least pay for converting your legacy records into our legacy system, Justware, so we could maintain one legacy system going forward.

Since you are already mandated to move to Show Me Courts, we assume you have or are doing so. If we elect to mutually proceed with this court migration, it is presumed that your current court operations are on Show Me Courts and you are operating in compliance with this directive at the time of transition.

The only remaining issue is the cost for this service. I have not attempted to come to a number, since I do not know if the afore described conditions are acceptable to Clarkson Valley. But since we would be using

our current PA, Judge, Court Staff, and facilities, we would anticipate simply calculating a proportional increase for those expenses.

While I know that you wanted to try and maintain your current judge and PA, I could not come up with a rational and financially feasible mechanism of doing so. Simply increasing the level of effort for the existing assignments, makes the conversion possible in my mind.

Scott, let me know if this is something that you want to explore further and if so, we'll talk numbers and I'll work to advise\inform our council. Thanks for coming by and speaking with me about this personally. Clearly we did not have a clear understanding of your needs and expectations when we developed our prior response.

At your request, I have since gone back and created an estimate for the City of Chesterfield to assume the responsibility for Clarkson Valley Court, under these terms. As I've also indicated, I have not taken this topic to our City Council for their review or concurrence, but would intend to do so upon your acceptance of the general terms. **Based on these assumption's I would recommend to our City Council, that the City of Chesterfield Charge an annual fee of $42,000 for this service.** That includes all of the costs; facilities, personnel, administrative, supplies, incidental costs, prosecutor and judge's contractual costs (Clarkson Valley would appoint the current Chesterfield Judge and Prosecutor but be paid through the City of Chesterfield). For sake of an ongoing contract, we would develop a contract for ongoing services, (subject to cancellation by either party), indexed by the annual CPI.

Also as discussed, Clarkson Valley would be responsible for the one-time cost to convert your legacy court records into the Justware court software, such that Chesterfield would only have to maintain one legacy system, in addition to all of the new system being on Show-Me Courts. If Clarkson Valley desires to move forward with this conceptual agreement, we need to mutually find somebody to re-enter this data into the Justware at Clarkson Valley's expense.

Once again, if this concept is reasonable and acceptable to Clarkson Valley, I plan on taking this through a City Committee for acceptance and ask our City Attorney to draft an agreement for both cities to execute.

The content of this e mail is to define initial terms subject to the approval of both municipalities. Nothing herein constitutes an obligation for either Clarkson Valley or the City of Chesterfield. Neither governing body, nor the Court officers have agreed in whole or in part, to the proposed court agreement.