

AGENDA ITEM SUMMARY

April 15, 2014

City Council

STAFF

Kathleen Lane, Municipal Judge

SUBJECT

Second Reading of Ordinance No. 054, 2014, Appropriating Prior Year Reserves in the General Fund for Municipal Court Reorganization.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on April 1, 2014, authorizes funding of \$55,400 for a minor reorganization of the Municipal Court department.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. Copy of First Reading Item Agenda Summary, April 1, 2014 (w/o attachments) (PDF)
2. Ordinance No. 054, 2014 (PDF)

AGENDA ITEM SUMMARY

April 1, 2014

City Council

STAFF

Kathleen Lane, Municipal Judge

SUBJECT

First Reading of Ordinance No. 054, 2014, Appropriating Prior Year Reserves in the General Fund for Municipal Court Reorganization.

EXECUTIVE SUMMARY

The purpose of this item is to authorize and appropriate funding for a relatively minor reorganization of the Municipal Court department. The Court requests \$55,400 from the General Fund Reserves to cover the prorated cost of a net 1.45 increase in classified/unclassified FTE. This cost relates to three changes which are not included in the approved 2014 budget: converting an existing 0.50 FTE Bailiff position from hourly to classified status, increasing an existing 0.30 FTE classified Deputy Court Clerk II position to a 0.50 FTE, and adding a 0.75 FTE classified position of Court Security Officer. The changes are needed due to case load changes and security concerns. The cost of the changes is anticipated to be covered by a recent increase in the amount of the court cost assessed in appropriate cases. The changes were included in the Municipal Court reorganization plan which was recently approved by the City Manager's Office.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Municipal Court adjudicates traffic, misdemeanor, and civil infraction complaints. In 2013, the Municipal Court processed approximately 33,000 cases to completion: 17,000 general cases and 16,000 camera radar/red light cases. Currently, the Municipal Court organization includes the following personnel who handle the general case load:

Position	Classified/ Unclassified FTE	Hourly FTE	Total
Municipal Court Judge	0.80		0.80
Court Administrator	1.00		1.00
Deputy Court Clerk II	1.30		1.30
Deputy Court Clerk I	2.50	0.50	3.00
Bailiff		0.50	0.50
Total	5.60	1.00	6.60

Additionally, the Court has 1.0 FTE of contractual and hourly Court Clerks who handle the Camera Radar/Red Light cases as well as an hourly Associate Judge and two Referees who are used as needed.

The 2013-2014 approved Municipal Court budget includes funding for a security service contract providing an armed security officer to monitor the courtroom, clerks' office, front lobby, hallways, prosecutors' offices, and the defendants' waiting areas.

Proposed Changes and Justification: The Municipal Court requests a net 1.45 increase in classified/unclassified FTE. The following three changes are proposed for the Municipal Court organizational structure:

1. Convert an existing 0.50 FTE Bailiff position from hourly to classified status.

In addition to acting as Bailiff for all Court proceedings, the Bailiff provides clerical support for the Deputy Court Clerks. This allows the Clerks to focus on providing customer service to citizens appearing in the office or making inquiries by phone or mail. The Municipal Court case load has increased significantly over the past several years, creating the need to increase the hours worked by the Bailiff. The Bailiff now consistently works between forty (40) and fifty (50) hours per pay period. As the population of the City increases, the Court anticipates that the case load will either maintain its current level or increase; therefore the workload for this position will continue or increase, as well. In order to maintain fairness and equity with other positions in the office, it is time to change this position from an hourly status (no benefits) to a classified 0.50 FTE status.

2. Increase an existing 0.30 FTE classified Deputy Court Clerk II position to 0.50 FTE.

In December 2012, Municipal Court staffing changed following the retirement of the Municipal Court Supervisor. While no net change in FTE occurred at that time, it resulted in a classified Deputy Court Clerk II position of only 0.30 FTE. Unfortunately, a position of that size can only be filled by an hourly employee. Current workload has created the need to increase that position to 0.50 FTE to help with some of the complex case processing and financial work which must be done daily. Without additional support, the Court Administrator will have less time to devote to staff development, work on statistical reports, and initiating innovative processes.

3. Add a 0.75 FTE classified Court Security Officer position.

The Municipal Court has completed two security assessments within the past three years, both of which identified a number of concerns and suggested changes. One of the suggestions was to have a security officer present. Since February 2013, the Court has contracted with Vets Securing America for a POST-certified security officer during arraignment sessions. Due to the reduction in incidents and some additional security concerns during non-arraignment time-frames, we have expanded the use of this service to include hearings, trials, and jury trials. In order to ensure consistency in personnel, training, and services provided, we now recommend the creation of a classified position of Court Security Officer. Fort Collins Police Services has agreed to provide a limited commission and work with the Court on training requirements for this Security Officer.

Budget: The increased personnel expenses related to this reorganization are not currently funded in the Court's 2014 budget. The costs involved would be as follows:

1. The incremental cost of changing the status of the Bailiff position from hourly to classified is approximately \$13,308 per year.
2. The incremental cost of increasing the Deputy Court Clerk II classified position from 0.30 to 0.50 FTE is approximately \$15,484 per year.
3. The proposed salary for the classified 0.75 FTE Court Security Officer is equivalent to that of a Natural Areas Trail Ranger, Park Ranger, and Transit Services Officer. The Court would also need approximately \$3,100 additional funds for purchasing uniforms and safety equipment for the Officer. Currently, the Court has a small budget for security services: \$11,750 for 2014; with that offset, the incremental cost of the change described in this Ordinance is \$45,065.

The Court is requesting that its departmental budget for 2014 be increased by a pro-rated total of \$55,400 (relating to an effective date of April 2014).

Should the funding for the aforementioned changes be approved, the Municipal Court's organizational structure (for the general caseload) will be as follows:

Position	Classified/ Unclassified FTE	Hourly FTE	Total
Municipal Court Judge	0.80		0.80
Court Administrator	1.00		1.00
Deputy Court Clerk II	1.50		1.50
Deputy Court Clerk I	2.50	0.50	3.00
Bailiff	0.50		0.50
Court Security Officer	0.75		0.75
Total	7.05	0.50	7.55

FINANCIAL / ECONOMIC IMPACT

In anticipation of this increased expense, City Council adopted Resolution 2014-012, revising the Court's costs and fees, including an increase in the "court cost" collected on appropriate cases from \$25 to \$35 per case. This increase was effective February 18, 2014 and is estimated to yield approx. \$57,000 additional revenue in 2014. Consequently, the cost of the reorganization should be covered by the increased costs revenue.

ATTACHMENTS

1. Powerpoint presentation (PDF)

ORDINANCE NO. 054, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL FUND
FOR MUNICIPAL COURT REORGANIZATION

WHEREAS, the Municipal Court (the “Court”) adjudicates traffic, misdemeanor, and civil infraction complaints pursuant to the Fort Collins Municipal Code, and handles approximately 33,000 cases annually; and

WHEREAS, the Court recently developed a plan for reorganization as a result of significantly increased caseloads that have resulted in the need for additional assistance for complex case processing, financial work, customer service, statistical report generation duties, and staff development; and

WHEREAS, two security assessments in the past three years identified a need for a security officer to be present in the courtroom during both arraignment and non-arraignment sessions, hearings, trials, and jury trials; and

WHEREAS, the Court’s reorganization will result in a net increase of 1.45 in classified/unclassified full-time employees (FTE), comprised of 0.50 FTE for a Bailiff position, 0.20 FTE for a Deputy Court Clerk II, and 0.75 for a Court Security Officer; and

WHEREAS, as part of the reorganization, the Court is requesting \$55,400 from prior year reserves in the General Fund to cover the prorated cost of the net increase in FTE; and

WHEREAS, the increased personnel expenses for the reorganization are not currently funded in the Court’s 2014 operational budget; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated for expenditure from prior year reserves in the General Fund the sum of FIFTY FIVE THOUSAND AND FOUR HUNDRED DOLLARS (\$55,400) to fund the costs associated with the Municipal Court’s reorganization.

Introduced, considered favorably on first reading, and ordered published this 1st day of April, A.D. 2014, and to be presented for final passage on the 15th day of April, A.D. 2014.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of April, A.D. 2014.

Mayor

ATTEST:

City Clerk