



Agenda Memorandum

City Council Meeting
November 26, 2018



Visionary Leadership, Effective Governance and Proactive Regional Collaboration



Beautiful, Desirable, Safe and Environmentally Responsible City



Financially Sustainable Government Providing Excellence in City Services

Subject: Intergovernmental Agreement Between the Cities of Brighton, Commerce City, Northglenn, Thornton, Westminster and the Adams County Sheriff's Office for the Provision of Municipal Court Video Services

Prepared By: Viki Manley, General Services Director
Patricia Kmitta, Municipal Court Administrator

Recommended City Council Action:

Authorize the City Manager to execute an Intergovernmental Agreement with the cities of Brighton, Commerce City, Northglenn, Thornton, and the Adams County Sheriff's Office for the provision of Municipal Court video services, for an expenditure amount of \$25,000 in 2019 and renewable for up to two additional one-year terms in an agreed upon amount for services in 2020 and 2021.

Summary Statement:

- For the past 10 years the Westminster Police Department has transported over 1,000 defendants per year from various jails for appearances at the Westminster Municipal Court.
- In 2016, Municipal Court Staff first contacted the Adams County Sheriff's Office about conducting video appearances from the jail. At that time, Westminster was one of the few Municipal Courts in Adams County that did not conduct video appearances.
- Video appearances reduce the overall number of transports and consequently the costs and risks associated with transporting defendants. The Adams County Jail was not able to accommodate the Municipal Court's request at that time due to staffing limitations.
- Staff continued discussions about video appearances with Adams County and in 2018, the Sheriff's Office hired additional staff to provide video court services to all municipalities in Adams County.
- The Westminster Municipal Court started conducting video appearances from the jail on October 11, 2018.
- Adams County is now proposing an Intergovernmental Agreement (IGA) with all municipalities that participate in the video court program to cover the cost of providing video appearances. The cost per municipality will be based on historical data collected and provided by the Sheriff's Office.

Fiscal Impact:

\$25,000 in expenditures for 2019; future years costs may increase based upon agreed upon

Source of Funds:

2019 General Fund: General Services Department, Municipal Court Operating Budget; and/or
2019 Supplemental Appropriation (2018 carryover or 2019 contingency funds, if required)

Policy Issue(s):

Should the City enter into an IGA with Adams County to ensure participation in the video court program?

Alternative(s):

Do not approve the IGA. This is not recommended due to overall costs and risks associated with the daily transport of prisoners from the Adams County Jail, as well as safety concerns when moving inmates through the Municipal Court building.

Background Information:

Over the past 10 years, the Westminster Police Department has transported over 1,000 defendants per year from various jails for appearances at the Municipal Court. The vast majority of defendants are transported from the Jefferson County and Adams County Jails. From January 2, 2018, through September 30, 2018, approximately 447 defendants were transported from the Adams County Jail. The Police Department often assigns Detectives or Patrol Officers to assist the Court Officers with daily inmate transport and supervision due to the large number of transports from the jails.

Due to costs and risks associated with inmate transport, as well as safety concerns when inmates are moved through the Municipal Court building, Staff contacted the Adams County Sheriff's Office in 2016 regarding the possibility of conducting video appearances from the jail. Staffing issues prevented the jail from adding the Westminster Municipal Court to its daily video court schedule at that time. The Police Chief, Presiding Municipal Judge, Court Staff, and Mayor continued to have discussions with the Adams County Sheriff's Office periodically for the next two years.

In May 2018, the Court Administrator was informed that the Sheriff's Office had hired additional staff to administer a new video court program that would extend video services to all interested municipalities in Adams County. The Court Administrator worked with the Westminster Information Technology Department to purchase the recommended video conferencing equipment and to establish connectivity with the jail. Court Staff also engaged in meetings with the Victim's Advocate Office, Prosecutor's Office, and Public Defenders to develop and implement courtroom docket modifications and other procedures necessary to accommodate the new video advisal docket. The new docket was held successfully for the first time on October 11, 2018. From October 11 to October 31, 2018, a total of 24 appearances were conducted by video. Video advisals would not be possible without the support of the Presiding Municipal Judge and City Attorney.

Adams County has proposed an IGA with all municipalities that participate in the video court program to cover the cost of providing video appearances. The cost per municipality will be determined based on the number of inmates appearing for video court, and the hours used for video court services as follows:

<u>Tier</u>	<u>Usage</u>	<u>Cost</u>
Low	150<inmates	\$8,000/Year
Mid	150-250 inmates	\$15,000/Year
High	250>inmates	\$25,000/Year

Based on the agreed upon terms, the Westminster Municipal Court will pay for 2019 services at the high tier category for video court services. Adams County may adjust fees annually as necessary to reflect increased costs for providing municipal court video services to the cities, will apply them proportionally based on usage to participating agencies, and provide this information by May 1st each year. This will allow for Staff to evaluate the cost/benefit and plan their budgets accordingly.

The expenditure required for video appearances is an unanticipated expense that was not included as part of the 2019/2020 budget process. Additional funds were not requested in the 2019 budget because there was uncertainty about the video court program and if Westminster would be able to participate at the time budget was prepared. Staff will look within the 2019 General Services Department operating budget to absorb this additional expenditure. If this expense cannot be covered with existing funding, Staff may request carryover or contingency funds to be allocated via a 2019 supplemental appropriation to cover the difference, if needed. Staff does believe this program is a benefit and recommends proceeding with the IGA as proposed.

Executing the IGA and reducing the costs and risks associated with inmate transport supports the City's Strategic Plan goals of Visionary Leadership, Effective Governance and Proactive Regional Collaboration; Beautiful, Desirable, Safe and Environmentally Responsible City; and Financially Sustainable Government Providing Excellence in City Services.

Respectfully submitted,

Donald M. Tripp

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City Manager

ATTACHMENTS:

Description	Upload Date	Type
Attachment: Intergovernmental Agreement re: Municipal Video Services	11/14/2018	Attachment