



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: October 15, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: A Resolution Establishing a Municipal Court Administrative Fee to Offset Expenses Associated with Providing and Running a Municipal Court; and for Other Purposes

MEETING DATE: For Submission onto the October 21, 2014, City Council Work Session Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Resolution

CITY MANAGER APPROVAL: _____

PLACED ON AGENDA FOR: 10/21/2014

CITY ATTORNEY APPROVAL REQUIRED:

() YES

() NO

CITY ATTORNEY APPROVAL: _____



To: Honorable Mayor and City Council Members
From: Wendell K. Willard
Date: For Submission onto the October 21, 2014 City Council Work Session Agenda
Agenda Item: A Resolution Establishing a Municipal Court Administrative Fee to Offset Expenses Associated with Providing and Running a Municipal Court; and for Other Purposes

City Attorney's Recommendation:

The City Attorney's Office recommends that the City Council approve the attached resolution modifying the amount of administrative fees currently established and collected by Municipal Court.

Background and Discussion:

Pursuant to Section 4.04 of the Sandy Springs City Charter and Chapter 4, Article 1, Section 6(a) of the Code of Ordinances of the City of Sandy Springs ("City"), City Council previously passed resolutions establishing Municipal Court administrative fees to defray the costs of Municipal Court operations. Currently, the Municipal Court is collecting \$70.00 for each case which is disposed of by: (a) conviction after trial; (b) accepted plea of guilty; (c) accepted plea of nolo contendere; (d) any bond forfeiture or voluntary payment of fine.

Recently it has been determined that the cost to provide and run the Municipal Court averages \$78.72 per case. Accordingly, Municipal Court desires to increase the administrative fees collected per case from \$70.00 to \$75.00.

Alternatives:

Not to allow an increase in the Municipal Court administrative fees.

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION ESTABLISHING MUNICIPAL COURT ADMINISTRATIVE FEES TO OFFSET
EXPENSES ASSOCIATED WITH PROVIDING AND RUNNING A MUNICIPAL COURT;
AND FOR OTHER PURPOSES**

WHEREAS, pursuant to Section 4.04 of the Sandy Springs City Charter and Chapter 4, Article 1, Section 6(a) of the Code of Ordinances of the City of Sandy Springs (“City”), the Municipal Court of the City of Sandy Springs (“Municipal Court”) has the authority to establish a schedule of fees to defray the costs of its operation; and

WHEREAS, the City previously imposed Municipal Court administrative fees by prior resolutions duly adopted by City Council, to be effective until such time as the City Council authorizes the Municipal Court to modify such administrative fees established and authorized to be collected; and

WHEREAS, the costs of operation of Municipal Court have been determined and the Municipal Court now desires to modify the Municipal Court administrative fees previously established by City Council to defray Municipal Court costs more accurately and reasonably;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID CITY COUNCIL AS FOLLOWS:

The City of Sandy Springs Mayor and City Council authorize the Municipal Court to establish and collect a Municipal Court administrative fee as follows:

SECTION 1. The Municipal Court administrative fee shall be set at \$75.00 for each case which is disposed of by: (a) conviction after trial; (b) accepted pleas of guilty; (c) accepted plea of nolo contendere, (d) any bond forfeiture or voluntary payment of fine. This fee shall apply until modified or amended by recommendation of the Municipal Court and approval by the Mayor and City Council of the City of Sandy Springs by resolution.

SECTION 2. This Resolution shall become effective immediately upon its adoption by City Council and supersedes all prior resolutions establishing Municipal Court administrative fees. All resolutions conflicting herewith are hereby repealed.

RESOLVED, this ____ day of ____, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)