

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<p><b>AGENDA TITLE:</b> Motion Authorizing Prosecution Services Contract Extension <b>DEPARTMENT:</b> City Attorney <b>PRESENTED BY:</b> Ian R. Sievers, City Attorney</p>
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**PROBLEM / ISSUE STATEMENT:** Since incorporation the City has contracted for legal services to file and prosecute City cases in the Shoreline Municipal Court, a division of Shoreline District Court. Our prosecutor makes charging decisions for misdemeanor and gross misdemeanor violations under the Shoreline criminal code and provides prosecution of these criminal complaints as well as infractions where witnesses are called. The current contract with Sarah Roberts expires at the end of 2005. The proposed two-year extension includes cost of living increases over the last four years at the rate used to adjust City salaries. It also adds a domestic violence coordinator that has been a city employee since King County terminated the contract service for this program in late 2003.

**BACKGROUND:** The prosecutor is responsible for filing charging documents, attending arraignments, hearings, and sentencing, and conducting bench and jury trials. The City awarded a flat four-year contract beginning in 2002 to Sarah Roberts after an extension Request for Proposal (RFP) competition.

The proposed extension of the present contractor continues features of the existing contract. A flat monthly rate will include appeals to superior court from the municipal court, with an hourly rate for carry over work to finish cases after the end of the contract term. The City pays separately for prosecution of in-custody initial hearings and arraignments when a Shoreline defendant is being held at the county jail in Seattle or the Regional Justice Center in Kent. The City provides office space in the Shoreline District Court under its court services contract. Prosecution and space for a domestic violence coordinator will continue under the proposed new long term District Court services contract recently negotiated, if Council approves that contract.

The City has negotiated the proposed extension of the Prosecution contract for two years. First, the Domestic Violence Coordinator position which has been included in the City Attorney's Office is proposed to be added to the prosecution contract beginning in 2006 to provide closer supervision of this position. The existing duties of the City job classification will be performed by this contract employee under the proposed contract, working the same number of program hours for the prosecutor. The City employee left this fall and has been filled with temporary employees. The two-year extension will establish this combined program without potentially replacing both the prosecution staff, domestic violence coordinator, and public defender at the same time (the public defender contract was rebid for a new contract beginning in 2006).

Second, the level of total filings has declined over the last two years of the contract and continues a general pattern of decline in total criminal filings and non-traffic infraction filings since 2000. See Attachment A. This pattern has also been experienced by other suburban cities in the Seattle area. See Attachment B. It is hoped that filings may stabilize and allow a more accurate RFP process in 2007. Since Ms. Roberts has agreed to extend her competitive price with a cost of living increase covering the last four years at a rate used for city salary adjustments, it is recommended that the extension be approved and the contract submitted for a new RFP in 2007. Ms. Roberts, her associate, and staff have extensive experience with the criminal division of the King County Prosecuting Attorney's Office and currently serve as contract prosecutors for Lake Forest Park. Ms. Roberts teaches criminal law and criminal procedure at Seattle University Law School. Ms Roberts has worked cooperatively in reducing jail expenses, and her extension is recommended by the police department.

**FINANCIAL IMPACT:** The City prosecution contract cost for 2006 will increase from \$115,000 to \$150,000 a year which now includes payment for staffing and supervision of the domestic violence program. Prosecution services and DV supervision as proposed is only \$350/mo. more than the rate for prosecution services in 2001. The \$30,000 plus benefits for the DV Coordinator results in a saving over the City staff cost of \$33,600 plus benefits. The 2006 City Attorney department budget includes funding for this contract.

### RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract for 2006-7 prosecution services with the Law Office of Sarah Roberts for \$150,000 annually.

Approved By:

City Manager 

City Attorney 

Attachment A- Shoreline Case Filing History

Attachment B- Case Filing History for District Court Contract Cities (13)

Jurisdiction: Shoreline

Historical Case Filings 1984 to 2005  
updated June 2005, annualizing 2005 cases and revenues through Mar 2005

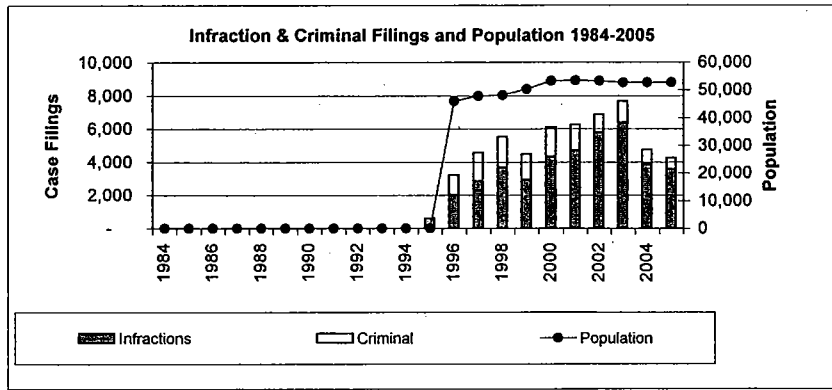
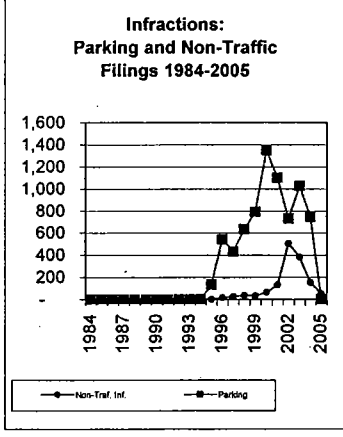
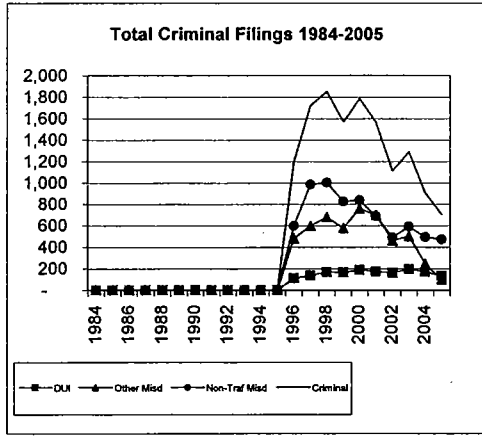
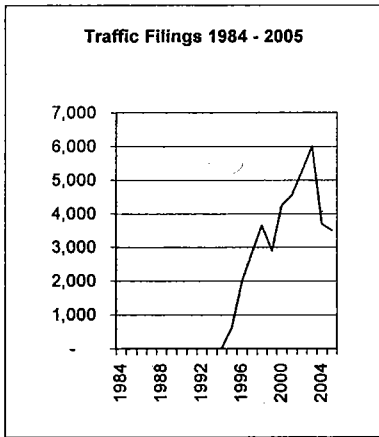
Shoreline

Filings by Category as reported to Office of the Administrator for the Courts

	-- Infractions --			-- Misdemeanors --			Total Civil	Subtotal	Parking	Total	% change per year	Infractions	Criminal	Population	% change per year
	Traffic	Non-Traf. Inf.	DUI	Other Misd	Non-Traf Misd										
1984	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
1985	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1986	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1987	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1988	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1989	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1990	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1991	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1992	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1993	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1994	-	-	-	-	-	-	-	-	-	-	#DIV/0!	-	-	0	#DIV/0!
1995	623	1	-	-	-	-	624	134	758	#DIV/0!	624	-	0	#DIV/0!	
1996	1,992	14	112	481	599	-	3,198	541	3,739	393%	2,006	1,192	45,927	#DIV/0!	
1997	2,819	26	138	599	984	-	4,566	431	4,997	34%	2,845	1,721	47,869	4%	
1998	3,639	34	168	683	1,001	-	5,525	632	6,157	23%	3,673	1,852	48,136	1%	
1999	2,885	32	165	577	825	-	4,484	789	5,273	-14%	2,917	1,567	50,252	4%	
2000	4,255	65	188	760	837	-	6,105	1,346	7,451	41%	4,320	1,785	53,296	6%	
2001	4,552	130	172	701	692	-	6,247	1,097	7,344	-1%	4,682	1,565	53,421	0%	
2002	5,262	502	161	461	490	-	6,876	728	7,604	4%	5,764	1,112	53,250	1%	
2003	5,999	381	194	501	592	-	7,667	1,025	8,692	14%	6,380	1,287	52,730	-1%	
2004	3,691	151	169	244	493	-	4,748	743	5,491	-37%	3,842	906	52,740	0%	
2005	3,504	48	132	100	472	-	-	-	-	-100%	3,552	704	52,740	0%	

Change	#DIV/0!	#DIV/0!	#####	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
92-2002	#DIV/0!	#DIV/0!	#####	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
94-2002	#DIV/0!	#DIV/0!	#####	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
97-2002	87%	1831%	17%	-23%	-50%	#DIV/0!	51%	69%	52%	103%	-35%	11%		
02-2005	65%	1021%	15%	-27%	-41%	#DIV/0!	39%	62%	41%	74%	-31%	10%		



Jurisdiction: All Current Contract Cities

Historical Case Filings 1984 to 2005  
updated June 2005, annualizing 2005 cases and revenues through Mar 2005

All Current Contract Cities Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, North Bend, Redmond, Sammamish, Shoreline, Skykomish, Snoqualmie, Woodinville  
Filings by Category as reported to Office of the Administrator for the Courts

	-- Infractions --			-- Misdemeanors --			Total Civil	Subtotal	Parking	Total	% change per year	Infractions	Criminal	Population	% change per year
	Traffic	Non-Traf. Inf.	DUI	Other Misd	Non-Traf Misd										
1984	51,104	-	625	2,053	1,807	-	22,900	1,084	23,984			51,104	4,485	108,408	
1985	17,658	-	633	2,017	2,314	-	22,622	1,154	23,776	-1%		17,658	4,964	111,036	2%
1986	17,649	2	556	2,077	2,362	-	22,646	1,550	24,196	2%		17,651	4,995	116,214	5%
1987	19,261	4	457	2,017	2,295	-	24,034	1,928	25,962	7%		19,265	4,769	120,434	4%
1988	25,529	4	444	2,371	2,463	-	30,811	4,185	34,996	35%		25,533	5,278	124,648	3%
1989	25,974	5	664	2,688	2,605	-	31,936	4,111	36,047	3%		25,979	5,957	126,094	1%
1990	31,887	2	623	3,036	2,430	-	37,978	3,421	41,399	15%		31,889	6,089	131,082	4%
1991	27,897	4	724	2,921	2,500	-	34,046	2,551	36,597	-12%		27,901	6,145	134,933	3%
1992	25,393	18	842	2,722	2,457	-	31,432	2,746	34,178	-7%		25,411	6,021	135,982	1%
1993	27,685	13	846	2,805	2,627	-	33,976	3,172	37,148	9%		27,698	6,278	175,045	29%
1994	28,522	58	869	3,510	3,565	-	36,524	3,049	39,573	7%		28,580	7,944	186,458	7%
1995	26,450	37	663	3,529	3,361	-	34,040	3,827	37,867	-4%		26,487	7,553	190,717	2%
1996	28,573	60	793	3,649	3,978	-	37,053	4,493	41,546	10%		28,633	8,420	239,605	26%
1997	32,314	90	721	3,624	4,202	-	40,951	6,270	47,221	14%		32,404	8,547	244,146	2%
1998	39,322	575	800	4,088	4,219	-	49,004	8,867	57,871	23%		39,897	9,107	262,060	7%
1999	39,264	304	828	3,584	3,758	-	47,738	11,048	58,786	2%		39,568	8,170	288,843	10%
2000	45,301	402	1,064	3,582	4,103	-	54,452	13,174	67,626	15%		45,703	8,749	329,734	14%
2001	43,154	411	1,089	3,321	4,127	-	52,102	11,622	63,724	-6%		43,565	8,537	334,422	1%
2002	43,758	868	987	3,023	3,802	-	52,438	10,739	63,177	-1%		44,626	7,812	342,420	-1%
2003	42,607	723	1,024	3,115	4,096	-	51,565	12,024	63,589	1%		43,330	8,235	343,115	0%
2004	35,765	402	1,084	1,954	4,014	-	43,219	10,865	54,084	-15%		36,167	7,052	345,525	1%
2005	40,352	200	952	1,136	3,568	-	46,208	9,448	55,656	3%		40,552	5,656	345,525	0%
<b>Change</b>															
92-2002	72%	4722%	17%	11%	55% #DIV/0!		67%	291%	85%			76%	30%	152%	
94-2002	53%	1397%	14%	-14%	7% #DIV/0!		44%	252%	60%			56%	-2%	84%	
97-2002	35%	864%	37%	-17%	-10% #DIV/0!		28%	71%	34%			38%	-9%	40%	
02-2005	8%	26%	28%	-24%	-3% #DIV/0!		5%	36%	10%			9%	-10%	31%	

