

CITY ORDINANCE NO. CO-150-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE FY 21/22 OPERATING BUDGET OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT TO REFLECT AN INCREASE IN REVENUES TRANSFERRED FROM THE CITY COURT OF LAFAYETTE AND TO APPROPRIATE FUNDS TO COVER OPERATING EXPENSES OF THE LAFAYETTE CITY COURT

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, The City Court of Lafayette is transferring funds to the Lafayette City-Parish Consolidated Government formally retained by the Court to cover operating expenses; and

WHEREAS, The City Court of Lafayette is restructuring its operating budget line items to be more consistent with the line items categories currently used by the Lafayette City-Parish Consolidated Government; and

WHEREAS, The City Court of Lafayette is seeking to amend the Lafayette City-Parish Consolidated Government general fund budget to reflect all expenses necessary and unavoidable for the operation of the court, including several operational expenses paid by funds statutorily collected and retained by the Court in excess of the annual general fund appropriations made by Lafayette City-Parish Consolidated Government;

WHEREAS, The City Court of Lafayette is working with Lafayette City-Parish Consolidated Government officials and third-parties to reduce its annual cost of operation and thus the general fund cost of Lafayette City-Parish Government, including the 10/10/10 program;

WHEREAS, The Lafayette City-Parish Consolidated Government recognizes its responsibility to fund the operation of the City Court of Lafayette but at the same time reduce the general fund cost of the Court's operation while still providing the Court sufficient funding to assure an effective and safe operation to the public.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

SECTION 2: The FY 21/22 general fund budget of the Lafayette City-Parish Consolidated Government and the City Court of Lafayette is hereby amended by increasing the revenues; adding appropriate line items and appropriating funds for the payment of the operating expenses of the City Court of Lafayette.

SECTION 3: This adjustment shall be as reflected in any pertinent documents which are attached hereto and made a part hereof and filed in the Office of the Lafayette Clerk of the Council.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

COPY

AUTHORIZATION FOR BUDGETARY REVISIONS

distance #: _____

ACCOUNTING UNIT	ACCOUNT	SUB ACCOUNT	ACCOUNT DESCRIPTION	ACTIVITY	ACTIVITY DESCRIPTION	ACCOUNT CATEGORY	ADJUSTMENT AMOUNT	CURRENT GL BUDGET	ADJUSTED BUDGET	GL		CURRENT AC BUDGET	ADJUSTED BUDGET
										AC	GL		
SEE ATTACHED													
0.00													

a) Adjustments

a: Revenue is a credit account therefore an increase is a credit (minus) and a decrease is a debit (plus). Expense is a debit account therefore an increase is a debit (plus) and a decrease is a credit (minus).

erve Balances (Budget Use Only)

Reserve
Accum Use of P. Y. Fund Balance
Transfer No. _____
Balance After This Transfer _____

Reserve
Accum Use of P. Y. Fund Balance
Transfer No. _____
Balance After This Transfer _____

VISION HEAD _____ DATE _____ DEPARTMENT HEAD *[Signature]* DATE *10/11/21*

BUDGET MANAGEMENT OFFICER _____

DATE _____

MAYOR-PRESIDENT _____

ACCOUNTING UNIT	ACCOUNT	SUB ACCOUNT	ACCOUNT DESCRIPTION	ACTIVITY	ACTIVITY DESCRIPTION	ACCOUNT CATEGORY	ADJUSTMENT AMOUNT	CURRENT GL BUDGET	ADJUSTED BUDGET	CURRENT AC BUDGET	ADJUSTED BUDGET
ANSWER OF CIVIL FEES COLLECTED IN PAST YEARS BY CITY COURT TO LGS											
1010999	44001-0		CITY COURT CIVIL FEES				-937,058.00	0.00	-937,058.00		
1010999	49990-0		NET LOSS-USE OF FUND BALANCE				937,058.00	0.00	937,058.00		
PARATION OF FY 2022 CIVIL FEES REVENUE											
1010999	44000-0		CITY COURT FINES				100,000.00	-950,000.00	-850,000.00		
1010999	44001-0		CITY COURT CIVIL FEES				-100,000.00	0.00	-100,000.00		
CITY COURT											
1011130	50800-0		UNIFORMS				4,000.00	0.00	4,000.00		
1011130	52000-0		LEGAL FEES				2,000.00	0.00	2,000.00		
1011130	53000-0		AUDITING FEES				15,000.00	0.00	15,000.00		
1011130	54070-0		SECURITY				8,000.00	0.00	8,000.00		
1011130	60000-0		BUILDING MAINTENANCE				15,000.00	4,000.00	19,000.00		
1011130	63000-0		EQUIPMENT MAINTENANCE				33,000.00	1,000.00	34,000.00		
1011130	65000-0		GROUND MAINTENANCE				5,000.00	6,120.00	11,120.00		
1011130	66000-0		JANITORIAL SUPPLIES & SERVICES				13,000.00	10,500.00	23,500.00		
1011130	70000-0		DUES & LICENSES				34,000.00	0.00	34,000.00		
1011130	70200-0		POSTAGE/SHIPPING CHARGES				18,000.00	8,600.00	26,600.00		
1011130	70300-0		PRINTING & BINDING				11,000.00	2,000.00	13,000.00		
1011130	70900-0		BANK SERVICE CHARGES				700.00	0.00	700.00		
1011130	70902-0		Duplicating Equipment Expenses				5,500.00	1,000.00	6,500.00		
1011130	70907-0		CONTRACTUAL SERVICES				1,000.00	1,040.00	2,040.00		
1011130	71011-0		CONTR SERV-JUDGES				30,000.00	0.00	30,000.00		
1011130	71023-0		INTERPRETER SERVICES				24,000.00	0.00	24,000.00		
1011130	72700-0		SUPPLIES & MATERIALS				40,000.00	9,000.00	49,000.00		
1010999	49990-0		NET LOSS-USE OF FUND BALANCE				-259,200.00	0.00	-259,200.00		
4011130	89000-0		CAPITAL OUTLAY	401226001201130	COMPUTERS & EQUIP-RPL		28,000.00	80,478.00	108,478.00		28,000.00
4011130	89000-0		CAPITAL OUTLAY	401226000901130	FURNITURE/EQUIP-RPL		4,000.00	108,478.00	112,478.00		4,000.00
4010999	49990-0		NET LOSS-USE OF FUND BALANCE				-32,000.00	0.00	-32,000.00		
TOTAL CITY COURT COST 291,200.00											
CITY COURT - DIVISION A											
1011132	50925-0		VEHICLE SUBSIDY LEASES				6,000.00	0.00	6,000.00		
1011132	70000-0		DUES & LICENSES				1,500.00	0.00	1,500.00		
1011132	70100-0		INSURANCE PREMIUMS				4,000.00	0.00	4,000.00		
1011132	70200-0		POSTAGE/SHIPPING CHARGES				200.00	0.00	200.00		
1011132	70500-0		TELECOMMUNICATIONS				1,800.00	0.00	1,800.00		
1011132	70800-0		TRAVEL & MEETINGS				10,000.00	0.00	10,000.00		



ACCOUNTING UNIT	ACCOUNT	SUB ACCOUNT	ACCOUNT DESCRIPTION	ACTIVITY	ACTIVITY DESCRIPTION	ACCOUNT CATEGORY	ADJUSTMENT AMOUNT	CURRENT GL BUDGET	ADJUSTED BUDGET	CURRENT AC BUDGET	ADJUSTED BUDGET
1011132	72700-0		SUPPLIES & MATERIALS				1,500.00	0.00	1,500.00		
1010999	49990-0		NET LOSS-USE OF FUND BALANCE				-25,000.00	0.00	-25,000.00		
4011132	89000-0		CAPITAL OUTLAY	401226001181132	COMPUTER EQUIP & SOFTWARE-RPL		4,000.00	0.00	4,000.00		
4011132	89000-0		CAPITAL OUTLAY	401226000301132	FURNITURE/EQUIP-RPL		1,000.00	0.00	1,000.00		4,000.00
4010999	49990-0		NET LOSS-USE OF FUND BALANCE				-5,000.00	0.00	-5,000.00		1,000.00
TOTAL DIVISION A COST									30,000.00		
CITY COURT - DIVISION B											
1011133	50925-0		VEHICLE SUBSIDY LEASES				6,000.00	0.00	6,000.00		
1011133	54070-0		SECURITY				650.00	0.00	650.00		
1011133	70000-0		DUES & LICENSES				1,500.00	0.00	1,500.00		
1011133	70100-0		INSURANCE PREMIUMS				4,000.00	0.00	4,000.00		
1011133	70200-0		POSTAGE/SHIPPING CHARGES				200.00	0.00	200.00		
1011133	70500-0		TELECOMMUNICATIONS				1,800.00	0.00	1,800.00		
1011133	70800-0		TRAVEL & MEETINGS				10,000.00	0.00	10,000.00		
1011133	72700-0		SUPPLIES & MATERIALS				1,500.00	0.00	1,500.00		
1010999	49990-0		NET LOSS-USE OF FUND BALANCE				-25,650.00	0.00	-25,650.00		
4011133	89000-0		CAPITAL OUTLAY	401226001181133	COMPUTER EQUIP & SOFTWARE-RPL		4,000.00	0.00	4,000.00		
4011133	89000-0		CAPITAL OUTLAY	401226000301133	FURNITURE/EQUIP-RPL		1,000.00	0.00	1,000.00		4,000.00
4010999	49990-0		NET LOSS-USE OF FUND BALANCE				-5,000.00	0.00	-5,000.00		1,000.00
TOTAL DIVISION B COST									30,650.00		
TOTAL CITY COURT REQUESTED									351,850.00		

\$0.00

Note: Revenue is a credit account therefore an increase is a credit (minus) and a decrease is a debit (plus). Expense is a debit account therefore an increase is a debit (plus) and a decrease is a credit (minus).

Total Adjustments



City and Juvenile
Court of Lafayette
Division "B"

Judge Douglas J. Saloom
Post Office Drawer 3344
Lafayette, Louisiana 70502-3344

Telephone
(337) 291-8760

October 1, 2021

Mr. Josh Guillory
Mayor-President
Lafayette Consolidated Government
705 West University Avenue
Lafayette, Louisiana 70501

Ms. Liz W. Hebert
City Council Chair
City District 3
705 West University Avenue
Lafayette, Louisiana 70501

Mr. John J. Guilbeau
Parish Council Chair
Parish District 4
705 West University Avenue
Lafayette, Louisiana 70501

RECEIVED

OCT 01 2021

MAYOR-PRESIDENT'S
OFFICE

Via Hand Delivery

Dear Mr. Mayor-President and Council Chairs:

As I indicated at the Council Budget wrap-up hearing on August 24, 2021, the city court and for that matter this administration and council, are embarking on a significant revision of the court's budget, accounting categories, control over revenues and responsibilities for payment of expenses. As I have previously indicated, this year's city court budget represents a change that consolidates revenues generated by court filings; re-categorizes operational expenses and transfers payment responsibility for some expenses from the court to the council. I truly believe these efforts will have a long lasting and positive impact for all concerned. I also believe that this reorganize will assist both the council and the court to help identify budget items in need of cost saving evaluations and solutions.

As part of this ordinance, the court will be transferring revenues that have historically been retained by the court to cover operating expenses not funded by the Council's general funds. This will include a one-time lump sum transfer of \$937,058.39 representing civil filing fees accrued over the past 20 years. The court has commenced monthly transmittal of civil filing

fees which as of August 31 totals an additional \$40,480.76 for the period of March 2021 to August 2021.

A transfer of these revenues requires an accompanying transfer of operational expenses. The Court's budget includes funding generated by two sources: The general fund budget provided by LCG Council and the legislatively authorized user fees collected in civil, criminal and traffic matters. Expenses that are deemed reasonable and necessary for the operation of the court are the legal responsibility of the council. Including salaries, LCG funds a large portion of the court's annual budget, but this funding falls short of covering all the court's reasonable and necessary operating expenses. Historically, this shortfall is covered directly by the court using its self-generated funds and savings. This short fall averages between \$250,000 to \$300,000 per year which represents the basis of the budget increase sought in this ordinance (see attached worksheet).

This requested general fund budget does not include all operational expenses of the court. There are expenses that the court feels are necessary but discretionary and thus the court does not currently seek reimbursement from the council. These expenses are paid directly by the court through its self-generated funds. The court has proudly assisted the council by using its self-generated savings to cover expenses that would have otherwise required the use of the Council's general fund dollars. Most recently, the court, paid over 1.1 million dollars to replace the HVAC system at no cost to this council or general fund sources.

The court's online payment system has been a phenomenally successful tool but as noted in my letter to the council of August 18, 2021, there are issues effecting the revenues recovered by the court that are beyond the court's control. Post Covid-19 issues, the court anticipates a return of civil filings to pre-covid numbers. The court however has no control over the reduced issuance and filing of traffic citations, criminal matters, and impaired driving charges (OWI), all that remain at historical lows. I would be thrilled to suggest that these lows are based upon an increase of good behavior and driving, but I know that that the reduction is due more to lack of traffic enforcement, reduced booking, and incarceration of offenders and more recently, an increase in pre-trial diversion programs created by the respective prosecuting authorities.

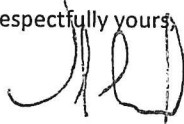
Changes to the court's ability to assist the council in covering operational expenses are also on the horizon. Recent Federal Court decisions will soon have an additional impact on the collection of court cost charged to persons convicted of criminal and traffic violations. The Cain and Caliste cases from the Federal 5th Circuit Court of Appeals and anticipated Legislative actions will soon apply to courts across the entire state creating a further loss of self-generated revenues covering the operation of courts. This loss of revenue will not be accompanied by an equal reduction in operational expenses which will again fall upon local governments. In anticipation of this change, the Court and LCG Administration have commenced discussions to address the Cain and Caliste issues and a resolution favorable to all concerned.

This is a transitional period for both the court and this council that needs to be discussed and needs to be resolved as a cooperative undertaking that benefits all interests now and for the

future. The court is committed to work with its accountants, LCG Administration, this council and KPMG to continue cost saving efforts to reduce the financial burdens associated with the operation of the court while continuing the court's history of effective and efficient service to its patrons.

Accordingly, the Court is requesting an increase in its budget in the line items as shown on attached worksheet and that, if necessary, new line items be created to reflect the changes necessary in expense and revenue categories.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'D. Saloom', written over a faint rectangular stamp.

Douglas J. Saloom
Chief Judge
City Court of Lafayette, LA

CC:

Nanette S. Cook, City District 4, Council Vice-Chair
Abraham "AB" Rubin, Jr., Parish District 5, Council Vice-Chair
City Council Members
Parish Council Members
Veronica L. Williams, Clerk of Council
Gregory J. Logan, City-Parish Attorney
Lorrie R. Toups, CPA, Chief Financial Officer
Michelle M. Odinet, Judge, Lafayette City Court Division "A"

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An ordinance of the Lafayette City-Parish Council amending the FY 21/22 operating budget to reflect revenue received from the City Court of Lafayette and to increase appropriations for the funding of expenses of the court.

2) ACTION REQUESTED: Adoption of Ordinance

3) COUNCIL DISTRICT(S) (CIP PROGRAM/PROJECTS ONLY): N/A

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: October 19, 2021

B) FINAL ADOPTION: November 2, 2021

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Ordinance (2 pages)

B) Budget Revision (1)

C) Cover Memo (3 pages)

D) _____

E) _____

6) FISCAL IMPACT:

X Fiscal Impact (Explain)

- Decreasing the use of the City General Fund (1001) Prior Year Fund Balance by \$627,208
- Increasing the use of the Sales Tax Capital Improvement – City Fund (401) Prior Year Fund Balance by \$42,000.

_____ No Fiscal Impact

RECOMMENDED BY:



DOUGLAS J. SALOOM
CHIEF JUDGE, DIVISION "B"

DISPOSITION OF ORDINANCE NO. CO-150-2021

1. This ordinance was introduced: Final disposition by Council:
October 19, 2021 _____, 2021
YEAS: Lewis, Naquin, YEAS:
Hebert, Cook, Lazard

NAYS: None NAYS:

ABSENT: None ABSENT:

ABSTAIN: None ABSTAIN:

AMEND – 11/02 Final adoption deferred until December 1st.

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on October 22, 2021.

3. This ordinance was presented to the Mayor-President for approval on _____, 2021, at _____ o'clock ____m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m.

B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.

C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.

MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on _____, 2021, at _____ o'clock ____m.

6. Reconsideration by Council (if vetoed):

On _____, 2021, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2021, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on _____, 2021.