



MEMORANDUM

To: Mayor and City Council

Through: Mike Land, City Manager

From: Traci E. Leach, Deputy City Manager

Date: January 9, 2018

Re: Contracts for Municipal Court Judges

2030: Sustainable City Government

Introduction: Due to the IRS notifying the City that the judges must be converted from contractors to employees, staff moved forward to amend the contracts that are currently in place for all three municipal, court judges- Presiding Judge Terry Landwehr, Alternate Judge Kim Nesbitt, and Alternate Judge Candace Carlsen. The attached contracts include changes necessary to make the conversion from “contractor” to “employee” while also maintaining part-time status for the judges.

Analysis: The key changes to the contract are as follows:

- Section 1- Capping the hours worked annually by each judge at 999 hours. This is necessary to maintain part-time status for each judge.
- Section 3- Extension of the term of the contracts to coincide with the City’s fiscal year. This change will assist in tracking the hours worked for each year.
- Section 4- Changes to incorporate process for payroll purposes.
- Section 7- Clarification of which benefits the judges are eligible to receive, which are consistent with other regular part-time employees in the City.
- Throughout contract- Removal of all references to “contractor”

The information included in the job description was taken from the existing contract and re-formatted to match the job descriptions used throughout the City.

Legal Review: The contracts were drafted and reviewed by the City’s labor and employment attorney.

Fiscal Impact: Funds are budgeted to pay the salaries of the municipal court judges. Staff will be

meeting regularly with the judges to monitor hours and expenditures throughout the year.

Recommendation: Staff recommends approval per previous City Council direction.