

**JUDICIAL AND PUBLIC SAFETY SERVICES
BETWEEN ARLINGTON COUNTY AND THE CITY OF FALLS CHURCH**

This Agreement is made and entered into this 11th day of October between the Council of the City of Falls Church, Virginia ("City") and the County Board of Arlington County, Virginia ("County").

I. Recitals:

On January 1, 1988, the City of Falls Church ("City") was transferred from the 19th Judicial District and Circuit to the 17th Judicial District and Circuit. As a consequence, the City has been provided with certain services furnished by the following 17th Judicial entities: the Circuit Court; the General District Court; the Juvenile and Domestic Relations District Court; and the Arlington County Commonwealth's Attorney.

The County provides, at its cost, for the salary, benefits, offices, utilities, materials, equipment, supplies and other support to these various entities. Because the City jointly uses the services provided by these entities, the City has agreed to pay for its share of the costs.

The County has also agreed to provide services to the City related to its emergency communication operations, Community Corrections program, and the Alcohol Safety Action Program. And the City has agreed to pay for its share of costs related to these services.

The City has agreed to provide services to the County related to its residential home for juvenile girls (Aurora House), which is operated under the direction of the Juvenile and Domestic Relations District Court, but financed by the City. Because the County jointly uses this service, the County has agreed to pay for its share of the costs.

This agreement defines what payments are owed by the City to the County or owed by the County to the City for its share of local expenses for the services stated above and further identified in Section III. Scope of Service.

This Agreement and the work performed hereunder shall be governed in all respects by the laws of the Commonwealth of Virginia and the jurisdiction, forum, and venue for any litigation with respect thereto shall be in the Circuit Court for Arlington County, Virginia, and in no other court.

II. Definitions and Payments:

"Child Care Day" shall equal the participation of one child in a program per calendar day. For example, if a child participates in a program for 32 calendar days and a second child participates for 42 days, then the actual Child Care Days for the two participants is 74. Actual Child Care Days accrued by the City and County for any particular program shall be tracked by the jurisdiction operating the program. In addition, the actual Child Care days will be tracked according to whether the participant is a County or City resident in order to determine each jurisdiction's utilization.

"Child Care Day Rate" shall be calculated by subtracting the fiscal year program revenues from the fiscal year program expenses (including any routine facility maintenance, utilities and

provide a service changes, the jurisdiction receiving services shall not be obligated to pay for the additional cost until that fiscal year is reconciled.

For the fiscal year closing on June 30th, each party shall provide the other with a reconciliation of actual expenses for the services provided compared to payments received for services no later than August 31st.

All notices of estimated expenses shall be provided to each jurisdictions finance department. The finance departments of the City and County shall designate a primary contact person each fiscal year for this purpose.

III. Scope of Services

Judicial Services

A. Circuit Court

The Circuit Court is the trial court of record of general jurisdiction in Virginia; it has authority to try a full range of cases both civil and criminal. The Arlington County Circuit Court hears the following types of cases: adoptions, appeals from General District Court; certain civil cases, equity suits, felonies and misdemeanors originating from grand jury indictments, juvenile cases that have been certified to the Circuit Court, writs of mandamus, probation, and certiorari involving proceedings arising from actions of the local governing body. The Court Clerk issues marriage licenses, records trade names for business, and performs many other governmental ministerial functions.

The Circuit Court is composed of the Judiciary and the Clerk's Office. The Court is partially state-funded -- the Judges receive salary payments directly from the Commonwealth, while local funds pay for supplemental personnel and non-personnel operating costs. The Commonwealth's Compensation Board provides funding to the County to support personnel costs in the Clerk's Office.

Judiciary:

The County pays the salaries and benefits for the non judicial staff in the Judiciary. Each fiscal year, the City shall pay its proportionate share of the County funded personnel and non-personnel operating expenses of the adopted budget that support the Circuit Court Judiciary. Generally, no revenues are received. If revenues are budgeted or received for the Circuit Court Judiciary, they will be deducted from operating expenses to determine a net expense.

Formula: City payment = (Proportionate Share) x (County FY Operating Expense - FY Revenues)

Clerk's Office:

Each fiscal year, the City shall pay the County for its proportionate share of County personnel and non-personnel operating expenses of the adopted budget for the Clerk's Office that is net of these revenues (if included in the adopted budget):

- revenue from the State Compensation Board
- excess fees remitted back to the Court by the Commonwealth, and

summons, bonds, search warrants, and medical detention orders, plus certain other statutory functions. Magistrates also conduct bail hearings in instances in which an individual is arrested on a warrant charging him or her with a criminal offense. Magistrates provide services 24-hours a day, 365 days a year.

The Chief Magistrate will provide the City with access to a magistrate either at the City Hall Police Department or by video conference, or the City's officers and citizens will have access to and use of the magistrate's located at the Arlington County Court House. Similarly, when in Falls Church, Arlington's officers and citizens will have access to the magistrate located at the City Hall Police Department.

The City will provide at its sole expense office materials, supplies, and equipment for the magistrate to use while present in the City Hall.

The Office of the Magistrate is primarily funded directly by the State. However, the County provides local funding to supplement the Magistrate's personnel (only to those hired prior to 2008) and non-personnel operating expenses. Each fiscal year, the City shall pay its proportionate share of the County funded personnel expenses of the adopted budget that support the Office of the Magistrate. Generally, no revenues are received. If revenues are budgeted or received for the Magistrate, they will be deducted from operating expenses to determine a net expense.

Formula: City cost = (Proportionate Share) x (County FY Personnel Expense - FY Revenue)

D. Juvenile and Domestic Relations District Court

The Juvenile and Domestic Relations District Court (JDRDC) hears all matters involving juveniles such as criminal or traffic matters. In addition, this Court handles other matters involving the family such as custody, support and visitation. The Court also hears family abuse cases, cases where adults have been accused of child abuse or neglect, and criminal cases where the defendant and alleged victim are family or household members. JDRDC personnel investigate and supervise adults on matters relating to domestic violence, other intra-family criminal cases, and cases of adult offenses against children; investigate and supervise all matters involving children younger than 18 or those who committed offenses prior to turning 18. JDRDC operates over a dozen programs to assist and to improve the lives of its clients and positively impact public safety.

The Juvenile and Domestic Relations District Court is composed of four divisions: the Judiciary, Clerk's Office, Probation, and Community Programs. JDRDC is partially funded by the Commonwealth. The state directly pays the salaries of judges, and provides some reimbursement and grant funding for court services and community programs. Each fiscal year, the County provides local funding to support the JDRDC.

1. Judiciary

The judges will sit in Falls Church every second and fourth Tuesday. The City will provide, at its cost, a suitable courtroom, Judges' Chambers, and materials, including such things as books, office supplies, robes and the like.

The Judiciary is primarily state funded -- the state directly pays for the salaries and benefits of most personnel. However, each fiscal year the County provides local funding to

Argus House

Argus House is a community-based group home for at-risk boys between the ages of 13 and 18. The program emphasizes personal accountability, competency development, leadership, and positive functioning in the community. Argus House works closely with parents, siblings, schools, probation counselors, employers, and members of the community to help residents make lasting changes in their lives. The daily program includes: peer groups, study hall, anger management and social skills training, therapeutic recreation, regular community service projects, parent groups, and multifamily activities.

Each fiscal year, the City shall pay the County for the City's actual usage of Child Care Days. Child Care Days and the Child Care Day Rate shall be calculated according to the defined methodology stated in Section II above. County funded personnel and non-personnel operating expenses are offset by revenues such as client fees, state grant funds, and federal grants funds that support Argus House.

Formula: City payment = (FY City Child Care Days Used) x (FY Child Care Day Rate for Argus_House)

In order to establish the upcoming fiscal year budget, the parties agree to determine the average number of City Child Care Days for the two previously reconciled budget years. This average shall be multiplied by the Child Care Day Rate of the proposed FY budget to determine the estimated cost for the upcoming fiscal year.

A similar formula will be utilized to calculate the City's cost for using the Arlington County Girls Outreach Center and the Arlington County Young Achiever's Program, if utilized.

Aurora House Services Provided by the City

Aurora House is a residential counseling center for girls' aged 13 to 17, and certified by the Virginia Department of Juvenile Justice. Aurora House offers long-term community-based treatment to a group of up to 12 girls. Participants receive individual, group, and family counseling, case management, and educational support during their stay.

Each fiscal year, the County shall pay the City for the County's actual usage of Child Care Days. Child Care Days and the Child Care Day Rate shall be calculated according to the defined methodology stated in Section II above. City funded personnel and non-personnel operating expenses are offset by revenues such as client fees, state grant funds, and federal grants funds that support Aurora House.

Formula: County payment = (FY County Child Care Days Used) x (FY Child Care Day Rate for_Aurora House)

In order to establish the upcoming fiscal year budget, the parties agree to determine the average number of County Child Care Days for the two previously reconciled budget years. This average shall be multiplied by the Child Care Day Rate of the proposed FY budget to determine the estimated cost for the upcoming fiscal year.

E. Office of the Commonwealth's Attorney

The Office of the Commonwealth's Attorney in Arlington County will perform those statutorily assigned duties and will prosecute all felony, misdemeanor, and traffic cases for the City and will hold preliminary hearings for such cases in the City of Falls Church:

To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment.

- Each fiscal year, the City shall also pay a portion of DES facility maintenance, utility, and custodial expenses in the County's adopted budget associated with the ECC. The City's share shall be calculated using its percentage of ECC calls during the fiscal year.

Formula: City payment = (FY City % ECC calls) x (County FY DES Expense for ECC)

To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment.

- Each fiscal year, the City shall pay a portion of the ECC phone system maintenance costs consisting of the County's contract expense(s) in the given fiscal year multiplied by the City's percentage of ECC calls.

Formula: City payment = (FY City % ECC calls) x (County FY ECC Phone System_Maintenance Expenses)

To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment. And, phone system maintenance shall be estimated using a monthly average cost from a recent twelve month period and considering the contract terms.

- The City shall pay a portion of the County's contract(s) for maintenance, preventative maintenance, technical support and monitoring contract of its digital radio communications system and network. The City share of costs shall consist of the total contract costs for the fiscal year multiplied by the percentage of radio air time use attributed to the City in the fiscal year.

Formula: City payment = (FY % City Radio Air Time) x (County FY Radio Maintenance Expenses)

To project costs for the proposed FY budget, the City's percent of air time from the most recently closed fiscal year shall be applied to the County's projected radio maintenance contract expense for the future fiscal year.

G. Community Corrections

The General District Court Judges, when sitting in the City, from time to time will utilize the Arlington County Community Corrections Unit (CCU) to provide sentencing reports, community supervision, referral assistance, and community monitoring of local offenders. The CCU, a part of the Arlington County Manager's Office, upon request of the court Judges, will prepare sentencing reports, provide probation supervision and/or monitoring, assist offenders with referrals to address issues such as mental health, substance abuse and

Termination: This agreement may be terminated in its entirety or in part by either party prior to its expiration date by providing one hundred twenty (120) days written notice to the other party. In the event of termination prior to expiration, amounts due to either jurisdiction shall be prorated if based upon a fiscal year lump sum or shall be calculated on actual use for services associated with child care days, referral or monthly expenses. Unpaid amounts for services provided shall be due immediately upon termination.

Notice of termination shall be provided:

o City of Falls Church:
City Manager
City of Falls Church
300 Park Avenue
Suite 303 East
Falls Church, VA 22046

to Arlington County:
County Manager
Arlington County
2100 Clarendon Blvd.
Suite 302
Arlington, VA 22201

Upon termination or expiration of this agreement, the parties shall calculate the final amounts due for services rendered and provide the other party with a final invoice. Each party shall pay its respective final invoice within 30 days of receipt.

For the City of Falls Church, Virginia:



Wyatt Shields
City Manager

Date: 9-16-2016

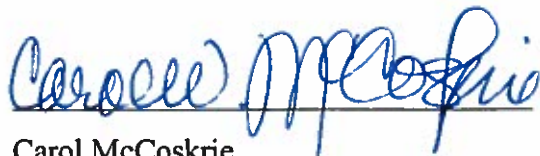
For Arlington County, Virginia:



Mark Schwartz
County Manager

Date: 10/11/2016

Reviewed and approved as to form:



Carol McCoskrie
City Attorney

Date: 09-16-2016