

RESOLUTION NO. 16-22

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, ADOPTING A NOTICE OF INTENT TO ESTABLISH A NEW OR INCREASED COURT ENHANCEMENT FEE RELATED TO FUNDING IMPROVEMENTS TO THE MUNICIPAL COURT, AND TO MAKE AVAILABLE TO THE PUBLIC A WRITTEN REPORT IN SUPPORT OF THE PROPOSED NEW OR INCREASED FEE.

WHEREAS, the Buckeye Municipal Court (the “Court”) collects a Court Enhancement Fee, which is added to the amount of every fine levied against a person who has been convicted of a criminal offense, or who has been adjudged responsible for a civil traffic offense or participates in any court authorized diversion program, including authorized defensive driving courses; and

WHEREAS, pursuant to the provisions of A.R.S. § 9-499.15, the Mayor and City Council (collectively, the “Council”) of the City of Buckeye (the “City”) may increase fees or charges within the City where (i) a schedule of the proposed new or increased fees or charges has been prepared that includes the amount of the proposed new or increased fee or charge, (ii) a written report or data supporting the new or increased fee or charge has been prepared and made available to the public, (iii) a notice of intent to establish new or increased fees or charges has been adopted, and (iv) the schedule of the proposed new or increased fees or charges and the written report or data that supports the proposed new or increased fees or charges is posted on the home page of the City’s website at least sixty (60) days before the date the proposed new or increased fees or charges are approved or disapproved by the Council; and

WHEREAS, the City has prepared, or caused to be prepared, a schedule of a proposed new or increased Court Enhancement Fee, and a written report supporting the proposed new or increased fee (the foregoing schedule and written report hereinafter collectively referred to as the “Report”); and

WHEREAS, the Council desires to declare its intention to establish a new or increased Court Enhancement Fee, consistent with the findings of the Report, and to post and circulate the documents in support of this increase in accordance with the provisions of A.R.S. § 9-499.15; and

WHEREAS, the Council may move to establish this proposed increase by amending Section 5-4-1 of the Buckeye City Code, at its regular meeting to be held on April 5, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. That a Notice of Intent to establish a new or increased Court Enhancement Fee consistent with the Report is hereby adopted.

Section 2. That the proposed new or increased Court Enhancement Fee shall be considered, and approved or disapproved, by the Council on April 5, 2022 at 6:00 p.m. in the Council Chambers, 530 East Monroe Avenue, Buckeye, Arizona.

Section 3. That the Report in support of the proposed new or increased Court Enhancement Fee shall be available to the public no later than February 2, 2022, in the office of the City Clerk, 530 East Monroe Avenue, Buckeye, Arizona, and on the homepage of the City website, and shall be circulated by social media or other electronic communication tools.

Section 4. That a Notice of Intent in the form attached to this Resolution as **Exhibit A** shall be posted no later than February 2, 2022 on the homepage of the City's website and shall be circulated by social media or other electronic communication tools.

Section 5. That the Mayor, the City Manager, the City Clerk, and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Resolution..

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 1st day of February, 2022.

Eric Orsborn, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:

Shiela B. Schmidt, City Attorney

**EXHIBIT A
TO
RESOLUTION NO. 16-22**

[Notice of Intent]



NOTICE OF PROPOSED NEW OR INCREASED COURT ENHANCEMENT FEE

This Notice of a Proposed New or Increased Court Enhancement Fee is hereby provided by the City of Buckeye pursuant to ARIZ. REV. STAT. ANN. § 9-499.15. The schedule of the proposed new or increased Court Enhancement Fee, and a written report in support of the proposed new or increased fee, are available on the City of Buckeye’s website pursuant ARIZ. REV. STAT. ANN. § 9-499.15. The proposed fee is set forth below:

	Current Amount	Proposed (Increased) Amount
COURT ENHANCEMENT FEE	\$10 per case	\$20 per violation

Mayor and Council will consider, and approve or disapprove, the proposed new or increased Court Enhancement Fee on April 5, 2022 at 6:00 p.m. at the City of Buckeye City Hall, 530 East Monroe Avenue, Buckeye, Arizona 85326.

Dated: February 1, 2022