BILL NO. 21-59   ORDINANCE NO. 21.59

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE SHOW ME COURTS AGREEMENT FOR USE IN THE OSAGE BEACH MUNICIPAL DIVISION OF THE TWENTY-SIXTH JUDICIAL CIRCUIT COURT AND AUTHORIZING THE OPENING OF A NEW OSAGE BEACH MUNICIPAL DIVISION BANK ACCOUNT FOR THE PROVISION OF SEGREGATED FUNDS

WHEREAS, the City and the Office of State Courts Administrator desire to enter into the agreement for the implementation of the Show Me Courts Automation software, and,

WHEREAS, the Board of Aldermen hereby finds it is in the best interest of the citizens or the City of Osage Beach to take this necessary step for court automation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. The City Administrator is here by authorized to execute on behalf of the City the Show Me Courts Agreement, attached hereto as Exhibit A, and to take all other necessary steps to enable the Osage Beach Municipal Division to fully and completely participate in the Show Me Courts automation plan.

Section 2. The City Administrator or her designee is authorized to open and maintain an independent and segregated bank account for the municipal division under the name of the Osage Beach Municipal Division and to take such other and further action as may be necessary to maintain compliance with the Show Me Courts program and the operating rules of the Missouri Supreme Court for municipal divisions.

Section 3. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 4. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous

to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 5. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: August 19, 2021   READ SECOND TIME: September 2, 2021

I hereby certify that Ordinance No. 21.59 was duly passed on September 2, 2021, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5   Nays: 0   Abstentions: 0   Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

9/2/2021
Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 21-59.

John Olivarri, Mayor

9/2/2021
Date

Tara Berreth, City Clerk

SHOW ME COURTS
AGREEMENT

This document constitutes an Agreement between City of Osage Beach (the City) and the Office of State Courts Administrator (OSCA), collectively referred to herein as the "Parties", for the implementation of the Show-Me Courts (SMC) court automation software. The agreement shall govern the long term use of the court automation software.

Background: Show-Me Courts is being developed for use as the case management system for the courts in Missouri and when all the current functionality is available in SMC, will replace the Justice Information System (JIS). Updates and new functionality to SMC will be deployed on a regular basis to the courts.
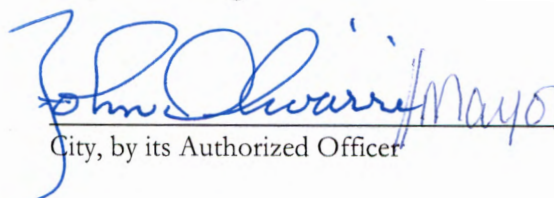
The Office of State Courts Administrator, in coordination with the Missouri Court Automation Committee, agrees to provide:

1. A suite of applications that meet the statutory and Supreme Court rules requirements.
2. Support.
3. Court Staff Training.
4. Communications with court.
5. Back-up of data.
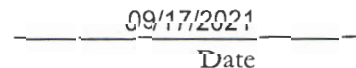
The Municipality agrees to:

1. Establish and maintain in effect a local ordinance to assess and collect the Court Automation Fee as required by Section 476.056, RSMo.

2. Provide and install necessary equipment for the implementation of SMC that meets Missouri Court Automation Infrastructure Standards. The Missouri Court Automation Infrastructure Standards may be found on the Court Information Center at http://www.courts.mo.gov/page.jsp?id=61273.

We, the undersigned, have read and accept this agreement as required by Section 476.056 RSMo.

_____   September 21, 2021
City, by its Authorized Officer   Date

_____   09/17/2021
Earl Kraus   Date
Deputy State Courts Administrator