


CITY OF BATAVIA

MEMO TO: Committee of the Whole
Government Services

FROM: Shawn Mazza
Deputy Police Chief 

DATE: September 18, 2020

SUBJECT: Resolution 20-114-R: Authorizing the Execution of a One-Year Renewable Contract with Drendel and Jansons Law Group to Provide Local Prosecutor Services

Summary:

The Drendel and Jansons Law Group has been providing local prosecutor services for the City of Batavia Police Department since December of 2016, which was the result of the Department receiving short notice of retirement from our previous (long-time) local prosecutor, Schroeder and Schroeder Law Firm. Since agreeing to provide these services for us on short notice, the Drendel and Jansons Law Group has provided highly professional and comprehensive prosecutorial services for our agency. Drendel and Jansons Law Group has also provided general legal services to the City of Batavia for a number of years, and therefore has an extensive understanding of the needs of the City and Police Department relating to prosecutorial services.

As a result of this agreement, Drendel and Jansons agrees to provide a member of their law group to appear and prosecute all traffic and ordinance violations for the Batavia Police Department on the first, second and third Tuesday each month, and handles other prosecution related correspondence, to include additional motions, continuances and court appearance notices to officers, offenders, victims and witnesses as required. The fee for these services will be \$2600 per month.

Staff Recommendation:

Staff recommends that the contract Drendel and Jansons Law Group be accepted and approved. Their firm has provided a seamless transition from our previous prosecutor service-provider and performed in a highly proficient manner. This figure is currently awaiting approval in the 2021 City of Batavia Budget.

Recommended Committee/Council Action:

Authorize the execution of a one-year renewable contract with Drendel and Jansons Law Group to provide local prosecutor services for an amount of \$2600 per month for 2021 (this figure is awaiting budget approval for 2021), with the option to extend for a second and third year. Request the attached resolution and agreement discussed and approval recommended at the Tuesday, October 20th Committee of the Whole Meeting and formally approved at the Monday, November 2nd City Council Meeting.

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 20-114-R**

**RENEWING A CONTRACT FOR LEGAL SERVICES FOR TRAFFIC AND ORDINANCE
VIOLATION PROSECUTIONS WITH DRENDEL & JANSONS LAW GROUP**

WHEREAS, the Drendel & Jansons Law Group is experienced in providing prosecutions for traffic and other ordinance violations for municipalities, and the City has an existing relationship with the Drendel & Jansons Law Group; and

WHEREAS, the Drendel & Jansons Law Group has submitted a proposed agreement for the provision of legal services to handle the traffic and ordinance violation prosecutions in the Kane County Branch Court; and

WHEREAS, the Mayor desires to appoint the Drendel & Jansons Law Group, and the Council desires to give its advice and consent in favor of retaining the Drendel & Jansons Law Group to provide those legal services agreement pursuant to the terms and conditions that have been proposed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: The recitals set forth above are incorporated herein as the material findings of the Mayor and the City Council.

SECTION 2: The agreement attached hereto and incorporated herein by reference as Exhibit "A" setting forth the terms and conditions for the handling of the City traffic and ordinance violations prosecutions is hereby approved, and the Mayor and the City Clerk are hereby authorized and directed to execute the agreement in the form attached.

SECTION 3: This Resolution shall take immediate force and effect upon its passage.

CITY OF BATAVIA, ILLINOIS RESOLUTION 20-114-R

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 2nd day of November, 2020.

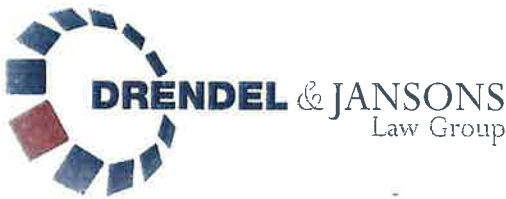
APPROVED by me as Mayor of said City of Batavia, Illinois, this 2nd day of November, 2020.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
VOTE:		0 Ayes	0 Nays	0 Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

Ellen Posledni, City Clerk



ATTORNEYS AT LAW
 Kevin G. Drendel
 Carolyn D. Jansons
 Roman J. Seckel
 Mark D. Brent
 Lawrence W. Lobb
 Edward J. Boula, III

August 18, 2020

OF COUNSEL
 Gilbert X. Drendel, Jr.

Deputy Chief Shawn Mazza
 Batavia Police Department
 100 N. Island Ave.
 Batavia, IL 60510

RE: City of Batavia Prosecutions Letter of Intent

Dear Deputy Chief Mazza:

Please allow this letter to serve as a Letter of Intent between the City of Batavia and Drendel & Jansons Law Group. Drendel & Jansons Law Group has been providing services to the City of Batavia as the local prosecutor since 2017 under a mutually agreed upon financial arrangement. Pursuant to the terms of the current agreement, our office will appear and prosecute all traffic and ordinance violations for the City on the first, second, and third Tuesday's of the month, both in the mornings and in the afternoons for trial, as needed, and attend to all additional prosecution related business for a flat rate of \$2,600.00 per month. Any motions to continue trials that were previously set which are based on the unavailability of an officer due to vacation, training or the like would continue to be billed at our regular hourly municipal rate.

The parties agree to extend the terms of the 2018 proposal, which began on January 1, 2018 and is set to expire on December 31, 2020, for an additional three-year period to terminate on December 31, 2023. In the fall of each year, representatives of Drendel & Jansons Law Group and the City of Batavia will meet or correspond to negotiate the price of the next year's contract. Any agreement reached during the term of this agreement shall be deemed to have been approved by the City Council without further resolution.

Both parties shall have the right to terminate this agreement as of December 31 each year for any reason, including the failure to reach an agreement as to the financial terms. Written notice of intent to terminate the agreement at the end of the year shall be provided at least sixty (60) days prior.

Sincerely,

DRENDEL & JANSONS LAW GROUP

Kevin G. Drendel

Approved:

 Chief Daniel Eul

 Kevin Drendel

Z: Shared Documents (R): Secretary-Clients - Municipal City of Batavia: Police: Prosecutions and Traffic: 2020 Prosecutions 2020-8-18 Ltr to Mazza re LOI for contract term.docx

Mailing Address

111 Flinn Street
 Batavia, IL 60510
 Phone: 630.406.5440
 Fax: 630.406.6179

- www.batavialaw.com ■
- www.ilfamilylaw.com ■
- www.ndillinoisbankruptcy.com ■
- www.FoxValleyEstatePlanning.com ■

2000 W. Galena Blvd., Ste 204
 Aurora, IL 60506
 Phone: 630.897.5957
 Fax: 630.406.6179