

**A RESOLUTION AUTHORIZING A FIRST AMENDMENT TO
THE PROSECUTING ATTORNEY SERVICES AGREEMENT
WITH TIM ENGELMEYER AND ENGELMEYER & PEZZANI,
LLC.**

WHEREAS, the City of Twin Oaks (the "City") and Engelmeyer & Pezzani, LLC (the "Prosecutor") entered an agreement for Prosecuting Attorney services in July of 2022 ("PA Services Agreement"); and,

WHEREAS, the PA Services Agreement provided for Prosecutor Assistant services to be provided at \$25 an hour; and,

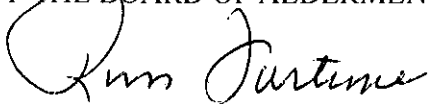
WHEREAS, the City and the Prosecutor now seek to amend the PA Services Agreement to increase the hourly rate for Prosecutor Assistant services to \$30 an hour.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF
THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:**

Section 1. The Board of Aldermen hereby approves, and the Mayor is hereby authorized to execute, a first amendment to the PA Services Agreement to increase the hourly rate of the Prosecutor Assistant services to \$30 an hour contract which First Amended Agreement shall be substantially in the form of Exhibit 1 (attached hereto and incorporated herein by reference).

Section 2. This Resolution is adopted and shall be in full force and effect on and after its passage and approval.

THIS RESOLUTION WAS PASSED AND APPROVED THE 15th DAY OF NOVEMBER 2023,
BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI.



Russ Fortune, Mayor

Attest:



Frank Johnson, City Clerk/Administrator

Exhibit 1

FIRST AMENDMENT TO PROSECUTING ATTORNEY SERVICE AGREEMENT

This First Amendment to the Prosecuting Attorney Service Agreement (“Amended Agreement”) made and effective this [REDACTED] day of November 2023, by and between Timothy A. Engelmeyer and Engelmeyer & Pezzani, LLC, (the “Firm”) and the City of Twin Oaks (“City”). This First Amended Agreement shall amend the original agreement dated June [REDACTED], 2022 (the “Original Agreement”), as follows:

Paragraph 1 of the Original Agreement is amended to increase the hourly rate of the Prosecutor Assistant services from \$25 to \$30 an hour, to read as follows:

I. FLAT FEE SERVICES: The following services shall be rendered to the City at the hourly rate of \$150.00 per hour for prosecution services and \$30 per hour for Prosecutor Assistant services:

1. Attendance at the regularly scheduled Municipal Court dates, as well as any daytime or evening Housing Dockets as scheduled by the Court;
2. Preparation and attendance on trial de novo cases and cases tried before a judge or jury in St. Louis County Circuit Court.
3. Prepare and prosecute municipal ordinance violations filed in Municipal Court, including review of warrant applications and all related attorney correspondence;
4. Render informal opinions as may be requested by the Mayor, City Attorney, the Board of Aldermen, the City’s Chief of Police, or code violation officers;
5. Provide a Provisional/Assistant Prosecuting Attorney to assist in the prosecution of Municipal Court; and
6. Provide a certified Prosecutor Assistant to assist in the prosecutorial duties as mandated by Missouri Statute, Senate Bill 5, and Senate Bill 572.

ALL OTHER TERMS TO REMAIN IN EFFECT

Except as expressly set forth in this First Amended Agreement, the terms of the Original Agreement otherwise remain unmodified, and the Original Agreement remains in full force and effect. Each reference in the Original Agreement to itself shall be deemed also to refer to this First Amended Agreement.

COUNTERPARTS

This First Amended Agreement may be executed in one or more counterparts each of which shall be deemed an original and all of which shall constitute one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have signed this First Amended Agreement as of the effective date first above written.

ENGELMEYER & PEZZANI, LLC

By: _____
Timothy A. Engelmeyer

CITY OF TWIN OAKS, MISSOURI

By:  _____
Russ Fortune, Mayor

ATTEST:

Frank Johnson, City Clerk/Administrator