

City Council Regular Meeting

DEPARTMENT: Legal


FROM: Matt Ribitzki, Sr. Deputy City Attorney/Legal Services Director

MEETING: May 18, 2026

SUBJECT:

Consider and take possible action on a two year professional services agreement with Toni D. Driver to serve as Deputy Municipal Attorney and provide municipal court prosecutor services in the amount of \$92,000. *(Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Legal Services Director)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 <p>High Performing City Organization Providing Exceptional, People Focused Services</p>	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

City staff, including the City Secretary, City Attorney, and Sr. Deputy City Attorney, met to determine a method to elevate the legal services provided in the City’s municipal court, and determined that seeking the services of a single, local, and experienced attorney could provide the prosecutor role with consistency for the public and City court staff. For approximately the past six years, TOASE has scheduled an attorney from its firm to serve as the prosecutor in the City’s municipal court, as the firm does for many of its municipal clients. Serving multiple different municipal courts, dealing with different attorney schedules, and experiencing standard turnover, however, has led to many different TOASE attorneys serving in the City’s municipal court prosecutor role over the years.

To provide consistency in the role, on February 28, 2026, City staff released Request for Qualifications 2026-016 seeking qualifications from competent attorneys to provide municipal prosecution services. In response to the RFQ, the City received qualifications from Toni D. Driver, attorney at law. While Ms. Driver was the only person or firm to submit qualifications, the internal

City staff evaluation team scored her qualifications exceptionally high – 98.33 points out of a possible 100 points. An overview of the staff scoring is below:

City Staff Committee Scoring of Qualifications of Toni D. Driver in RFQ 2026-016					
Criteria Category & Total Possible Points	Total (100 points)	Municipal Court Experience (40 points)	Qualifications & Courtroom Experience (30 points)	Case Management (10 points)	Municipal References (20 points)
Committee Scoring	98.33 points	40 points	30 points	8.33 points	20 points

Ms. Driver is a licensed attorney with over 30 years of legal experience. She has served as municipal judge in a number of different local cities such as Alvarado, Comanche, Crowley, Joshua, Keene, and Mansfield. She has even served as a judge in our City for a number of years (though she does not serve in that capacity currently). In all, Ms. Driver has over 20 years of municipal court experience as both a judge and prosecutor.

The proposed professional services agreement is a two year agreement with Ms. Driver for her to serve as the municipal prosecutor, though there is an additional two year renewal option at the City Council’s discretion. The agreement does contain a termination for convenience clause stating that either party may terminate the contract for any reason by giving thirty days notice to the other party. Ms. Driver will be compensated a flat fee of \$3,750 per month, which works out to \$45,000 per year. The compensation amount is generally in line with what the City currently pays TOASE for municipal court prosecutor services. The City will also pay for an annual training and related expenses for municipal prosecutors held by the Texas Municipal Courts Education Center, anticipated at less than \$1,000 per year. If approved by the City Council, the agreement’s effective date (and the date Ms. Driver will begin serving as prosecutor) is June 1, 2026.

RECOMMENDATION:

Staff recommends approval.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None.

REFERENCE:

None.

FISCAL IMPACT:

Proposed Expenditure/Revenue: \$92,000 total (\$16k in FY25-26, \$46k in FY26-27, \$30k in FY27-28)

Account Number(s): 1011002.66010

Fund: General

Account Description: Legal Fees
Procurement Method: RFQ

STAFF CONTACT:

Matt Ribitzki
Sr. Deputy City Attorney/Director of Legal Services
mribitzki@burlesontx.com
817-426-9664