

Agenda Item Details

Meeting	May 30, 2019 - Bryan City Council Special Meeting
Category	4. Regular Agenda - This agenda consists of items requiring individual consideration by Council.
Subject	B. Consider first and only reading of an ordinance of the City of Bryan, Texas, extending the terms of the current sitting judges in order to align judicial appointments and amending Chapter 2, Administration, Section 2-8, Municipal Court of Record, of the City of Bryan Code of Ordinances, by adding Subsections (10) – (12); setting the term for municipal court judges; providing for the appointment of the City of Bryan municipal court judges to align with state law; and providing for removal. Two ordinance options are being provided to the City Council: Option "A" and Option "B". Option "A" extends the terms of all currently sitting municipal court judges as of the date of the adoption of this ordinance to align with the term of the Mayor, which is set to expire at the November 2019 election canvass. For any municipal court judge whose term does not end prior to the November 2019 election canvass, such term is extended to the date of the election canvass in November 2020. Option "B" extends the terms of all currently sitting municipal court judges as of the date of the adoption of this ordinance to January 1, 2020. For any municipal court judge whose term does not end prior to January 1, 2020, such term is extended to January 1, 2021.
Type	Action
Preferred Date	May 30, 2019
Absolute Date	May 30, 2019
Fiscal Impact	Yes
Budgeted	Yes
Budget Source	Judges are paid from the Municipal Court Budget (General Fund).
Recommended Action	Motion to approve the first and only reading of an ordinance of the City of Bryan, Texas, extending the terms of the current presiding municipal judge and the current sitting associate municipal judges in order to align judicial appointments and amending Chapter 2, Administration, Section 2-8, Municipal Court of Record, of the City of Bryan Code of Ordinances; by adding subsections (10) – (12); setting the term for municipal court judges; providing for the appointment of the City of Bryan municipal court judges to align with state law; and providing for removal.
Goals	Public Safety

Summary:

The Bryan Municipal Court became the Bryan Municipal Court of Record when the City Council adopted Ordinance No. 1941, effective January 1, 2012. State law requires judges of a Municipal Court of Record be appointed by ordinance. Ordinance 2210, adopted May 16, 2017, appointed the Honorable Albert Navarro as the Presiding Municipal Judge of the Bryan Municipal Court of Record for a two-year term, effective June 1, 2017. Associate Judges Colleen Batchelor, Michelle Esparza, and Stephanie Imbrie, appointed by Ordinance 2308, adopted November 13, 2018, currently serve as Associate Judges. To better align the municipal court of record with state law requirements in relation to the appointment, retention, and evaluation of the City of Bryan's municipal court judges, two (2) Ordinance options are proposed:

Ordinance Option "A" extends the terms of all currently sitting municipal court judges as of the date of the adoption of this ordinance to align with the term of the Mayor, which is set to expire at the November 2019 election canvass. For any municipal court judge whose term does not end prior to the November 2019 election canvass, such term is extended to the date of the election canvass in November 2020.

Ordinance Option "B" extends the terms of all currently sitting municipal court judges as of the date of the adoption of this ordinance to January 1, 2020. For any municipal court judge whose term does not end prior to

January 1, 2020, such term is extended to January 1, 2021.

All terms for municipal judges shall be for two years following this extension.

Staff Analysis and Recommendation: The City of Bryan has a municipal court of record, with a presiding judge and several appointed associate judges. State law sets out that judges of a Court of Record are appointed for either two (2) or four (4) year terms. Ordinance No. 1941, previously adopted by the Bryan City Council, established the term for the Bryan Municipal Court of Record judges as two (2) years. The staff recommends the City Council adopt either Ordinance Option "A" or Ordinance Option "B" to better align the municipal court of record with state law requirements in relation to appointment, retention, and evaluation of its municipal court judges. The work of the Bryan Municipal Court of Record addresses the City Council's strategic initiative of public safety.

Options:

1. Adopt Ordinance Option "A" or Ordinance Option "B"
2. Delay action.
3. Take no action.

Attachment:

1. Proposed Ordinance Option "A"
2. Proposed Ordinance Option "B"

[Ordinance Appointing Judge. Option A.pdf \(225 KB\)](#)

[Ordinance Appointing Judge .Option B_ \(002\).pdf \(225 KB\)](#)

Motion & Voting

Motion to approve the first and only reading of an ordinance of the City of Bryan, Texas, adopting Option B which extends the terms of all currently sitting municipal court judges as of the adoption of this ordinance to November 1, 2019; for any municipal court judge whose term does not end prior to November 1, 2019, such term is extended to November 1, 2020.

Adopt Option B except it extends the terms of all currently sitting MC

Motion by Buppy Simank, second by Mike Southerland.

Final Resolution: Motion Carries

Aye: Andrew Nelson, Buppy Simank, Greg Owens, Mike Southerland, Prentiss Madison, Reuben Marin, Brent Hairston