



AGENDA MEMORANDUM

First Reading Ordinance - City Council Meeting of March 21, 2023
Second Reading Ordinance – City Council Meeting of March 28, 2023

DATE: March 13, 2023

TO: Mayor & Council

FROM: Council Member Roland Barrera, Chairman
Municipal Court Committee

Rebecca Huerta, City Secretary
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Terms of Office - Municipal Court Judges
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CAPTION:

Ordinance amending Chapter 29 of the Corpus Christi Code to replace terms that are “coterminous with the term of the appointing City Council” with definite two-year terms for Municipal Judge Appointments.

SUMMARY:

Per Sec. 29-54 of the city code, the Municipal Court judges serve two-year terms that are coterminous, or concurrent, with the term of the appointing City Council. The current City Council terms run from December 2022 to November 2024. The Mayor and Council did not take office until January 10, 2023, however, because a runoff election was held on December 13, 2022 in Districts 1, 2, and 3.

Texas Government Code 29.005 states that a municipal court judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority, continue to serve for another term of office beginning on the date the previous term of office expired. Since the Council took office on January 10, 2023, then the municipal court judge appointments must be made no later than April 10 since their terms are concurrent with City Council terms. This situation creates a tight timeline for the Municipal Court Committee to complete the appointment process. It is especially difficult if new council members are appointed to the committee because they are rushed through the orientation process to make the appointments by the deadline. Consequently, the committee is recommending **definite, two-year terms of office** for municipal court judges rather than concurrent, or coterminous, terms with City Council terms. If approved on second reading, the municipal court judge terms would run from March 28, 2023 to March 28, 2025.

BACKGROUND AND FINDINGS:

Per Sec. 29-54 of the city code, the Municipal Court Committee will provide oversight responsibilities for municipal court judicial operations and monitoring judges (appointment, annual review and salary oversight). The municipal court committee consists of four (4) council members appointed by the mayor at the beginning of each council term. The mayor appoints one (1) of the council members as the chairperson. Municipal Court judges serve two-year terms.

ALTERNATIVES:

The Council could choose to amend the ordinance or not to approve it.

FISCAL IMPACT: None

Funding Detail:

Fund:

Organization/Activity:

Mission Element:

Project # **(CIP Only)**:

Account:

RECOMMENDATION:

The Municipal Court Committee recommends approval of the ordinance as presented.

SUPPORTING DOCUMENTS:

Ordinance