

MGS
4/22/2004
Item #11

AN ORDINANCE **99099**

ACCEPTING RESIGNATIONS SUBMITTED BY CERTAIN MUNICIPAL COURT JUDGES; APPOINTING MUNICIPAL COURT JUDGES TO FULL-TIME AND PART-TIME POSITIONS; AND APPOINTING A PRESIDING JUDGE FOR THE MUNICIPAL COURT.

WHEREAS, the Municipal Court Subcommittee of the Quality of Life Committee met on December 8, 2003, January 5, 2004, and April 13, 2004 to consider operations, vacancies, and applications from candidates for appointment to positions as municipal court judge; and

WHEREAS, the Quality of Life Committee met at a special meeting on April 19, 2004 to deliberate the subcommittee's recommendations concerning the resignations of several judges, salaries, work loads and related organizational matters of the Municipal Court Judges; and

WHEREAS, after careful consideration of all candidates and their applications, including information from previous interviews by the subcommittee of selected candidates and of all of the full-time judges who reapplied, the Quality of Life Committee recommends acceptance of the resignations, recommends several candidates to fill vacant judge positions, and recommends the appointment of a new Presiding Judge for the Municipal Courts; and

WHEREAS, the Quality of Life Committee recommends re-appointment of current full-time and part-time municipal court judges to new terms; and

WHEREAS, Quality of Life Committee recommends salary changes based on workload changes and reorganization of the dockets; and

WHEREAS, after due consideration of the several recommendations from the Quality of Life Committee, the City Council has determined these to be reasonable, necessary, and in the best interest of the City of San Antonio;

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council accepts the resignations submitted by:

Judge Reynolds N. Cates from his appointment as a full-time judge, and
Judge Alfredo M. Tavera from his appointment as Presiding Judge.
Judge Ann H. Megee from her appointment as a part-time municipal court judge.

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SECTION 2. The City Council appoints John Casias, currently serving as a part-time municipal court judge, to serve as a full-time municipal court judge for the City of San Antonio Municipal Court for a two-year term of office to begin May 1, 2004 and end on April 30, 2006.

SECTION 3. The following individuals are appointed to serve as part-time judges for the City of San Antonio Municipal Court for the unexpired terms of office of their predecessors, beginning January 18, 2004 until January 17, 2006:

Linda Conley
Maria T. Garcia

SECTION 4. The following individuals, who have continued to hold office as “hold-overs” under Article XII, Section 160 of the City Charter, are re-appointed to serve as full-time judges for the City of San Antonio Municipal Court for new two-year terms to begin May 1, 2004 and end April 30, 2006:

John Bull
Carla M. De Leon
Monica Gonzalez
Daniel Guerrero
Jose I. Nino
Paul R. Talamantez, Jr.
Alfredo M. Tavera
Catherine Torres-Stahl
Roberto A. Vasquez

SECTION 5. The following individuals, who have continued to hold office as “hold-overs” under Article XII, Section 160 of the City Charter, are re-appointed to serve as part-time judges for the City of San Antonio Municipal Court for new two-year terms to begin May 1, 2004 and end April 30, 2006:

Mary E. Fuentes Valdez
Joe D. Gonzales
Juventino Guerra
Rolando Ramos
John Smith

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SECTION 6. The City Council appoints John Bull as the Presiding Judge of the City of San Antonio Municipal Court.

SECTION 7. The annual salary for each full-time judge is \$75,000.00 and for the Presiding Judge is \$90,586.00. All other provisions concerning salary adjustments for the number of years licensed and for assignments to specialty courts are hereby repealed.

SECTION 8. The hourly rate of pay for part-time judges is set at \$36.06. All other provisions concerning pay for the number of years licensed and for assignment to specialty courts are hereby repealed.

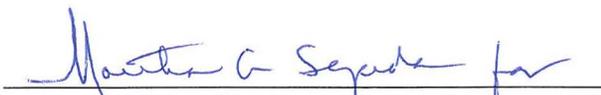
SECTION 9. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 10. This ordinance is effective immediately.

PASSED AND APPROVED this 22nd day of April, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

04-16

MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE-TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT - NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: _____

11

DATE: _____

APR 22 2004

MOTION: _____

Prof

Hall

ORDINANCE NUMBER: _____

99099

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: _____

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		/	
JOEL WILLIAMS District 2		/	
RON SEGOVIA District 3		/	
RICHARD PEREZ District 4		/	
PATTI RADLE District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
ART A. HALL District 8		/	
CARROLL SCHUBERT District 9		/	
CHRISTOPHER "CHIP" HAASS District 10		/	
EDWARD D. GARZA Mayor		/	

04-16

Flaw

Wm

MEETING OF THE CITY COUNCIL

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ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE – GENERAL MANAGER
CITY PUBLIC SERVICE – MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
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EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE – ASSESSOR
FINANCE – CONTROLLER
FINANCE – GRANTS
FINANCE – PUBLIC UTILITIES SUPERVISOR
FINANCE-TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
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INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT –NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
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CENTRAL MAPPING
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PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: _____

DATE: _____

MOTION: *Flore* _____ *Wm*

ORDINANCE NUMBER: _____

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: _____

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		///	
JOEL WILLIAMS District 2			
RON SEGOVIA District 3		///	
RICHARD PEREZ District 4		///	
PATTI RADLE District 5		///	
ENRIQUE M. BARRERA District 6		///	
JULIAN CASTRO District 7		///	
ART A. HALL District 8		///	
CARROLL SCHUBERT District 9		///	
CHRISTOPHER "CHIP" HAASS District 10		///	
EDWARD D. GARZA Mayor		///	

04-16

**City Attorney's Office
City of San Antonio**

April 22, 2004

Agenda Item #11

Process

- Municipal Court Subcommittee of the Quality of Life Committee reviewed applications from all candidates
- Subcommittee interviewed thirteen candidates
- Subcommittee interviewed all current judges
- Subcommittee met on December 8, 2003, January 5, 2004 and April 14, 2004 to consider candidates and related municipal court matters

Summary of Recommendations

- Repeal 2% incentive pay for specialty courts and pay adjustments for tenure as lawyers
- Equalize pay for current judges– reflecting equalized work loads
- Funds from one budgeted vacant position will offset:
 - \$75,000 for full-time judges
 - \$36.06 per hour for part-time judges

Resignations to be Accepted

- Judge Alfredo M. Tavera as Presiding Judge
- Judge Reynolds N. Cate as full-time judge
- Judge Ann H. Megee as part-time judge

Recommendations to Re-appoint Current Part-time Judges

- Mary E. Fuentes Valdez
- Joe D. Gonzales
- Juventino Guerra
- Rolando Ramos
- John Smith

(total of twelve part-time judges with new and previous appointments)

Fiscal Impact

<u>Full-time judges</u>	<u>Salary(& benefits)</u>
Current budget	
- from \$71,517 to \$74,323	\$1,121,283
- Presiding Judge \$90,586	
Proposed change	
-\$75,000 to all judges	\$1,063,639
- No change to Presiding Judge	
- Assuming one (1) vacant position	

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
CITY ATTORNEY'S OFFICE**

TO: Mayor and City Council

FROM: Andrew Martin, City Attorney

THROUGH: Terry M. Brechtel, City Manager

COPIES Yolanda Ledesma, City Clerk; File

SUBJECT: Ordinance Appointing Municipal Court Judges

DATE: April 22, 2004

SUMMARY AND RECOMMENDATIONS

This Ordinance accepts the resignation of two municipal court judges and of the presiding judge; appoints full-time and part-time municipal court judges to new, two-year terms; establishes compensation for the newly-appointed judges; and appoints a new presiding judge.

The draft ordinance described in this memo reflects the recommendations of the Municipal Court Subcommittee and the Quality of Life Committee.

BACKGROUND INFORMATION

The Municipal Court Subcommittee of the Council's Quality of Life Committee met on December 8, 2003, January 5, 2004, and April 13, 2004 to consider operations, vacancies and related personnel matters for the Municipal Court Judges. The Quality of Life Committee met on April 19, 2004 to deliberate the subcommittee's recommendations. At previous meetings, the subcommittee received over forty applications, identified candidates for interviews and interviewed thirteen new candidates for part-time positions as well as all of the fulltime municipal court judges who had reapplied.

There are three pending resignations that have not been accepted by City Council action. Judge Reynolds N. Cates has resigned from a full-time position. Ann H. Megee has resigned as a part-time judge. Judge Alfredo M. Tavera has resigned as Presiding Judge. The subcommittee and Quality of Life Committee recommend that the City Council accept these resignations.

The subcommittee and Quality of Life Committee further recommends:

- the appointment of John Casias, currently serving as a part-time judge, to fill the vacant position created by Judge Cates' resignation; and
- filling the part-time position vacancies created by John Casias' appointment as a full-time judge and Ann McGee's resignation by appointing Linda Conley and Maria T. Garcia to fill the unexpired term of their predecessors, a term that began January 18, 2004 and ends January 17, 2006.

Under the City Charter, a municipal court judge continues to hold office until his or her successor is appointed and qualified. The subcommittee and Quality of Life Committee recommend appointing the following to new, two-year terms to begin May 1, 2004 and end April 30, 2006:

As full-time judges:

John Bull
 Carla M. De Leon
 Monica Gonzalez
 Daniel Guerrero
 Jose I. Nino
 Paul R. Talamantez, Jr
 Alfredo M. Tavera
 Catherine Torres-Stahl
 Roberto A. Vasquez

As part-time judges:

Mary E. Fuentes Valdez
 Joe D. Gonzales
 Juventino Guerra
 Rolando Ramos
 John Smith

The subcommittee and the Quality of Life Committee recommend appointing John Bull as Presiding Judge.

The subcommittee and the Quality of Life Committee recommend setting the annual salary for each full-time judge (other than the presiding judge) at \$75,000.00, and repealing the current 2% adjustment based on the number of years a judge has been licensed and the 2% adjustment for judges assigned to specialty courts (Environmental Court, Family Violence Court, and Juvenile Court). The salary for the presiding judge would remain unchanged from its current amount.

FISCAL IMPACT

Funding for municipal court judge positions is authorized and established by the adopted budget for Municipal Court. Budgeted salaries with benefits for this fiscal year totals **\$1,121,283** for the twelve authorized full-time judge positions. The savings resulting from keeping one judge

position vacant for this fiscal year offsets the proposed salary increase and equalization to \$75,000 for full-time judges. The total FY 2004 budgeted amount, adjusted for eleven full-time judge salaries of \$75,000 with benefits from May 1 through September 30, 2004, is **\$1,063,639**.

Part-time judges are paid only as needed. The average hourly wage for judges is now \$33.33. Adjusting the rate of pay per hour based on a \$75,000 salary results in an overall increase of 8.2% in the hourly rate, to \$36.06 per hour. The FY 2004 budgeted amount for part-time judge compensation is \$135,056. The additional estimated amount needed to cover the new proposed hourly wages for the balance of this fiscal year is \$10, 804. That additional amount is available from the savings realized from keeping the budgeted full-time judge position vacant through the end of the year.

COORDINATION

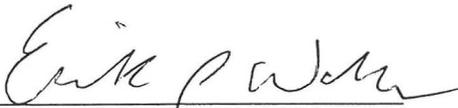
The City Attorney's Office has coordinated this item with the City Clerk's Office and the Municipal Court Administration.



ANDREW MARTIN

City Attorney

APPROVED:



TERRY M. BRECHTEL

City Manager