

AN ORDINANCE 2007-05-31-0595

CREATING THE MUNICIPAL COURT ADVISORY COMMITTEE.

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WHEREAS, in 2006, the City hired a consultant to study matters pertaining to the Municipal Courts; and

WHEREAS, the findings in the report issued by the consultant, Judge Robert Dorfman, concluded with the recommendation for the creation of a Municipal Court Advisory Committee to function as judicial liaison and to provide recommendations on matters pertaining to Municipal Court, including judicial nominations; and

WHEREAS, staff recommends that the advisory committee be comprised of six members appointed by the City Council; and

WHEREAS, the board is proposed to consist of: (1) one voting member from the membership of the San Antonio Bar Association; (2) one voting member who currently serves as a judge, but not with the San Antonio Municipal Court; (3) the Presiding Judge of the San Antonio Municipal Court serving as an ex-officio, non-voting member; (4) the Mayor serving as an ex-officio, voting member; and (5) two voting members who must be citizens of the City of San Antonio; and

WHEREAS, staff recommends that appointments be made in June of each odd-numbered year for two year terms that begin on July 1, that members shall be eligible for reappointment by the City Council for two additional two-year terms, and that members shall serve until their successors are appointed and qualified; and

WHEREAS, in order to provide specialized citizen input in the decision-making process regarding Municipal Court matters that affect a large segment of the City population, it is now necessary for the City Council to create the Municipal Court Advisory Committee, state the terms and mission for the Committee and its membership; **NOW THEREFORE:**

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

SECTION 1. Creation of the Municipal Court Advisory Committee. The Municipal Court Advisory Committee is created.

SECTION 2. Mission of the Municipal Court Advisory Committee. The mission of the Municipal Court Advisory Committee is to recommend judicial nominations for full-time and associate judges, act as a liaison between the Municipal Court Judges and City Council, as well as any other duties assigned by the Council.

SECTION 3. Structure and Appointment Terms. The Municipal Court Advisory Committee shall be comprised of six members. The Mayor and the Presiding Officer of the Municipal Court shall both serve in an ex-officio capacity, meaning that the individual holding the office of Mayor or Presiding Judge is a member of the board during the time they hold the office of Mayor or Presiding Judge of the San Antonio Municipal Court. All other members shall serve until their successors are appointed and qualified, subject to approval by City Council, and will be eligible for reappointment for two additional two-year terms. Appointments shall be made in June of each odd-numbered year, for two year terms to begin July 1. All members shall be voting members except for the Presiding Judge.

SECTION 4. Appointment Process. With the exception of the Mayor and the Presiding Judge, who serve in an ex-officio capacity, the Municipal Court Advisory Committee members shall be appointed or reappointed by the City Council.

SECTION 5. Eligibility for Appointment. To be eligible for appointment, one member of the Municipal Court Advisory Committee shall be a member of the San Antonio Bar Association; one member shall be a judge, but not with the San Antonio Municipal Court; and two shall be citizens of the City of San Antonio. The Mayor of the City of San Antonio and the Presiding Judge of the Municipal Court shall serve in an ex-officio capacity. When making appointments to the Municipal Court Advisory Committee, the City shall not discriminate on the basis of race, color, national origin, religion, sex, age or handicap.

SECTION 6. Chair and Vice Chair of Municipal Court Advisory Committee. The selection of the Chair and Vice Chair shall be made by election by the Municipal Court Advisory Committee from amongst its members. The Chair and Vice Chair shall serve one year terms in that position with no limitation on the number of terms served, but shall comply with the maximum terms for membership on the Committee.

SECTION 7. Municipal Court Advisory Committee Meetings. The Municipal Court Advisory Committee shall meet on a monthly basis at a time and place as stipulated by the Chairperson. Special meetings can occur outside of these dates as it may be necessary to carry out any outstanding issues.

SECTION 8. Application of Other Laws.

(a) **City Code provisions for Boards and Commissions.** To the extent not in conflict with this Ordinance, the City's Rules for Boards and Commissions, codified in Article 2, Section IX of the City Code of the City of San Antonio apply to the Committee.

(b) **City Charter.** Section 160 of the City Charter, regarding holdover of members, the Texas Public Information Act and the Texas Open Meetings Act also apply to this Committee.

(c) **Financial Disclosure Report.** All Municipal Court Advisory Committee members shall be subject to the requirements set forth in the City's Ethics Code, as applicable to City Officials. All Municipal Court Advisory Committee members must file a Financial Disclosure Report with the Office of the City Clerk upon appointment, and annually thereafter, throughout the member's term. Failure to file a Financial Disclosure report within the time required by the City's Ethics Code will be considered an automatic removal, without any further action by the City Council. Such removal shall also act as direction to the Office of the City Clerk to advertise for applications to the Municipal Court Advisory Committee in the same manner as described in the City Code provisions for boards and commissions, located in Chapter 2, Article IX. The new member shall serve out the remainder of the term of the removed member.

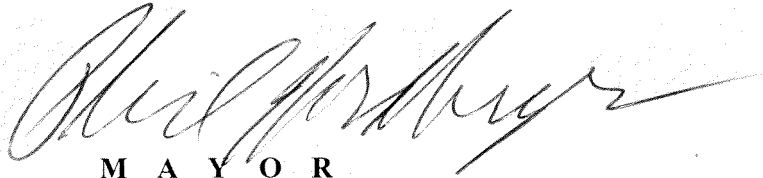
A member who is automatically removed from a board or commission for failure to file a Financial Disclosure Report is ineligible to serve on any other board or commission for a period of one (1) calendar year from the date of the member's automatic removal.

SECTION 9. Vacancy. In the event a vacancy occurs on the Committee, the Office of the City Clerk shall advertise for applications to the Municipal Court Advisory Committee in the same manner as described in the City Code provisions for boards and commissions, located in Chapter 2, Article IX. The new member shall serve out the remainder of the term of the former member.

SECTION 10. Compensation. Committee members shall not be entitled to compensation for service on the Municipal Court Advisory Committee.

SECTION 11. Effective Date. This Ordinance is effective immediately upon the receipt of eight (8) affirmative votes, or in the event eight (8) affirmative votes are not received, ten (10) days after passage.

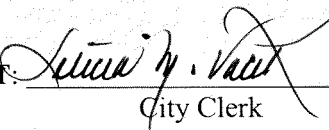
PASSED AND APPROVED this 31st day of May, 2007.



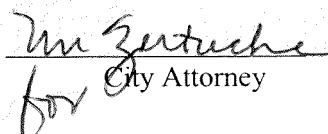
M A Y O R

PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

Agenda Voting Results

Name: 8.

Date: 05/31/07

Time: 09:56:34 AM

Vote Type: Multiple selection

Description: 8.

An Ordinance creating the Municipal Court Advisory Committee. [John Bull, Presiding Judge, Municipal Court]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		