

ALLEN OWEN
Mayor

JERRY WYATT
Councilmember at Large Position 1

CHRIS PRESTON
Councilmember at Large Position 2



YOLANDA FORD
Councilmember District A

DON SMITH
Councilmember District B

ANTHONY G. MAROULIS
Councilmember District C

FLOYD EMERY
Mayor Pro Tem
Councilmember District D

CITY COUNCIL SPECIAL MEETING AGENDA

Notice is hereby given of a Special City Council Meeting to be held on **Monday, May 1, 2017, at 6:00 p.m.** at: **City Hall, Council Conference Room, 2nd Floor, behind the Council Chamber, 1522 Texas Parkway, Missouri City, Texas, 77489**, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

1. CALL TO ORDER

2. DISCUSSION/POSSIBLE ACTION

- (a) Discussion on municipal court judges, including judicial roles, compensation, and technology.
- (b) Discussion on municipal courts of record.
- (c) Discussion on the new agenda packet process.

3. CLOSED EXECUTIVE SESSION

The City Council may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code. Notice is hereby given that the City Council may go into Executive Session in accordance with the following provisions of the Texas Government Code:

Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Open Meetings Act: Penal Code Section 39.06.

Texas Government Code, Section 551.071 – Consultation with attorney to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: *Creekmont Community Association, Inc. and Rena Marshall vs. Allen Owen, in his official capacity as Mayor of the City of Missouri City, Texas, and Maria Jackson, in her official capacity as City Secretary* (Harris County Cause No. 2017-05988 in the 125th Judicial District Court of Harris County, Texas).

4. RECONVENE into Special Session and Consider Action, if any, on items discussed in Executive Session.

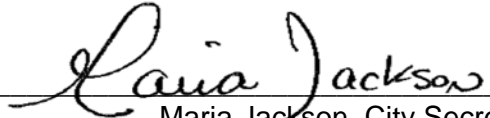
5. ADJOURN

In compliance with the Americans with Disabilities Act, the City of Missouri City will provide for reasonable accommodations for persons attending City Council meetings. To better serve you,

requests should be received 24 hours prior to the meetings. Please contact Maria Jackson, City Secretary, at 281.403.8686.

CERTIFICATION

I certify that a copy of the May 1, 2017, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on April 28, 2017, at 4:00 p.m.



Maria Jackson, City Secretary

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ day of _____, 2017.

Signed: _____ Title: _____



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

May 1, 2017

To: Mayor and City Council
Agenda Item: 2(a) Authority of Municipal Court Judges
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

During the April 3, 2017 city council meeting, questions were asked regarding the responsibilities of the City of Missouri City municipal court presiding judge and associate judges. This item provides for information regarding the roles and responsibilities of City of Missouri City (City) municipal court judges, judicial compensation, and judicial technology. Supporting Material Number 5 also provides a judicial compensation survey produced by the Municipal Courts Division and the Human Resources and Organizational Development Division for informational purposes and Supporting Material Number 6 provides a chart showing certain hours logged by municipal court judges.

BACKGROUND

Section 29.004 of the Texas Government Code provides that the judge and alternate judges of the municipal court in a home-rule city are selected under the city's charter provisions relating to the election or appointment of judges. The Charter of the City of Missouri City has provided for a municipal court since the first charter in 1974. Before 1986, the Charter provided for a single judge and court.

The Charter was amended in 1986 to allow the City Council to, by ordinance, divide the court into two or more panels or divisions. The Missouri City Municipal Court has consisted of three panels or divisions since 1988. See Ordinance No. O-88-01. In addition to creating divisions of the court, Ordinance No. O-88-01 established duties and responsibilities of the presiding judge and specifically allowed the presiding judge to "direct the arrangement and trial of cases and order any judge to exchange benches and preside in any municipal court." Both state law and the City Charter provide that if a city divides its municipal court into two or more panels or divisions, each additional panel or division shall be presided over by an associate judge who has the same powers as the presiding judge.

On May 3, 2010, the City adopted an ordinance to remove the specific authority granted to the presiding judge, making the City's ordinances more consistent with the Charter and state law. See Ordinance No. O-10-18. The 2010 ordinance also allowed the city court administrator to facilitate the equitable scheduling of dockets. Judge Robert Richter was presiding judge and Judges Debra Champagne and Kelly Crow were associate judges at the time. The cover memo for the item described changes in the court schedule and stated that the ordinance was "necessary to implement changes toward improved efficiency and convenience for Court customers while improving Court services." Section 29.007(d)(4) specifically allows a city, by ordinance, to establish a system for filing complaints with the municipal court clerk so that the case load is equally distributed among panels or divisions of the court.

To provide powers that are not the same, the City may provide for the following:

- One single municipal court with no additional panels or divisions; or
- A court of record, which would require the presiding judge to maintain a central docket for the cases filed; provide for the distribution of cases to equalize the distribution of court business; temporarily assign judges or substitute judges to exchange benches and to act for each other if necessary for

court business; and supervise and control the operation and clerical functions of the administrative department, including personnel, of each court during the proceedings of the court. See Item 2(b) of this May 1, 2017 agenda for additional information regarding courts of record.

BUDGET ANALYSIS

Funds are not being requested at this time.

SUPPORTING MATERIALS

1. Section 4.03 of the Missouri City Charter
2. Chapter 62 of the Missouri City Code
3. City Ordinance No. O-88-01
4. City Ordinance No. O-10-18
5. Municipal Court Judge Compensation survey
6. Judicial hours logged

STAFF'S RECOMMENDATION

This material is being provided for informational purposes. As such, there is no recommendation.

Director Approval:

E. Joyce Iyamu, City Attorney

Sec. 4.03. - Municipal court.

A.

There shall be established and maintained a court, designated as a "municipal court" for the trial of misdemeanor offenses, with all such jurisdiction, powers and duties as are now, or may hereafter be prescribed by laws of the state of Texas relative to municipal courts.

B.

The municipal court shall be presided over by a magistrate who shall be known as the "judge of the municipal court." The council may, by ordinance, divide the municipal court into two (2) or more panels or divisions, one of which shall be presided over by the presiding judge. Each additional panel or division shall be presided over by an associate judge, who is a magistrate with the same powers as the presiding judge. The judge or judges for said court shall be appointed for a term of two (2) years by the council but may be removed or replaced, at any time, at the discretion of the council, by vote of the majority of the entire council. Each judge shall be an attorney licensed and practicing in the State of Texas and shall receive such salary as may be fixed by the council.

C.

The city attorney or his assistant shall serve in the capacity of city prosecutor in the municipal court.

D.

There shall be a clerk of said court and such deputy clerks as may be authorized by the council and appointed by the city manager.

E.

The clerk of said court and deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto, and generally do and perform any and all acts usual, and necessary to be performed, by the clerk of courts, in issuing process of said courts, and conducting the business thereof.

F.

In case of the disability or absence of the judge of the municipal court, the council shall appoint a qualified person as provided in B. above to act as judge of the municipal court.

G.

All costs and fines imposed by the municipal court shall be paid into the city treasury for the use and benefit of the city.

(Ord. No. O-86-10, § 3(2), (3), 1-30-1986/4-5-1986; Ord. No. O-92-14, § 1, 3-1-1992/5-2-1992)

Chapter 62 - MUNICIPAL COURT^[1]

Footnotes:

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State Law reference— Municipal courts, V.T.C.A., Government Code ch. 29.

Sec. 62-1. - Division of court.

Pursant to Charter § 4.03, the municipal court is divided into three panels.

(Code 1981, § 15.5-1; Code 1999, § 62-1)

State Law reference— Municipal court created, V.T.C.A., Government Code § 29.002; divisions authorized, V.T.C.A., Government Code 29.007.

Sec. 62-2. - General powers and duties.

The powers and duties of each of the panels of the municipal courts shall be those defined and designated by the laws of the state and the Charter and ordinances of the city.

(Code 1981, § 15.5-2; Code 1999, § 62-2)

Sec. 62-3. - Jurisdiction.

Each of the panels of the municipal courts shall have and exercise concurrent jurisdiction within the city limits, and such jurisdiction shall be the same as is now or hereafter may be conferred upon all municipal courts by the general laws of this state.

(Code 1981, § 15.5-3; Code 1999, § 62-3)

State Law reference— Municipal court jurisdiction, V.T.C.A., Government Code § 29.003.

Sec. 62-4. - Offices of judge established.

There are hereby created three offices of judge.

(Code 1981, § 15.5-4; Code 1999, § 62-4)

Sec. 62-5. - Municipal court.

(a) There shall be established and maintained a court, designated as a "municipal court" for the trial of misdemeanor offenses, with all such jurisdiction, powers and duties as are now, or may hereafter be prescribed by laws of the State of Texas relative to municipal courts.

- (b) The municipal court shall be presided over by a magistrate who shall be known as the "judge of the municipal court." The council may, by ordinance, divide the municipal court into two or more panels or divisions, one of which shall be presided over by the presiding judge. Each additional panel or division shall be presided over by an associate judge, who is a magistrate with the same powers as the presiding judge. The judge or judges for said court shall be appointed for a term of two years by the council but may be removed or replaced, at any time, at the discretion of the council, by vote of the majority of the entire council. Each judge shall be an attorney licensed and practicing in the State of Texas and shall receive such salary as may be fixed by the council.
- (c) The city attorney or his assistant shall serve in the capacity of city prosecutor in the municipal court.
- (d) There shall be a clerk of said court and such deputy clerks as may be authorized by the council and appointed by the city manager.
- (e) The clerk of said court and deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto, and generally do and perform any and all acts usual, and necessary to be performed, by the clerk of courts, in issuing process of said courts, and conducting the business thereof.
- (f) In case of the disability or absence of the judge of the municipal court, the council shall appoint a qualified person as provided in subsection (b) of this section to act as judge of the municipal court.
- (g) All costs and fines imposed by the municipal court shall be paid into the city treasury for the use and benefit of the city.

(Ord. No. 0-86-10, § 3(2), (3), 1-30-1986/4-5-1986; Ord. No. 0-92-14, § 1, 3-1-1992/5-2-1992)

Sec. 62-6. - Division established.

The division of municipal court is hereby placed under the department of general government.

(Code 1999, § 62-6; Ord. No. O-11-30, § 2, 8-15-2011)

Sec. 62-7. - Divisional director of municipal court.

The office of divisional director of municipal court is hereby created.

(Code 1999, § 62-7; Ord. No. O-11-30, § 3, 8-15-2011)

Sec. 62-8. - Conduct and operation of courts; transfer of cases; authority of judges and divisional director of municipal court.

The divisional director of municipal court shall facilitate the equitable scheduling of dockets. Municipal courts and the judges thereof may transfer cases from one court to another, and any judge of any such court may exchange benches and preside over any such court, subject to the approval of the judge of each municipal court affected by such transfer or exchange. Any judge of any municipal court shall exercise complete judicial authority over the judgments, orders and process of his court, the trial of cases therein, and the conduct of persons attending thereon.

(Code 1999, § 62-8; Ord. No. O-11-30, § 3, 8-15-2011)

Sec. 62-9. - Appointment of temporary judges.

The city council shall have the power to appoint temporary judges of the municipal courts to serve whenever the presiding judge or an associate judge is temporarily unable to act.

(Code 1981, § 15.5-7; Code 1999, § 62-9)

State Law reference— Authority to provide for temporary judges, V.T.C.A., Government Code 29.007(g).

Sec. 62-10. - Powers and duties of temporary judges; compensation.

The temporary judges of the municipal court shall act as judges of the municipal court, but only when the regular judge thereof is absent or unable to act for any reason. When so acting, a temporary judge may act or sit as judge of any panel, may exchange benches with other judges, may hear and decide cases of any such courts, or may transfer cases to or from any such panel. The temporary judges shall receive such salary as may be fixed by the city council.

(Code 1981, § 15.5-8; Code 1999, § 62-10; Ord. No. O-10-18, § 1, 5-3-2010)

Sec. 62-11. - Assessment of special expenses.

The presiding judge and any associate judge of the municipal court of the city may, after conviction and due notice, assess upon the defendant a special expense, not to exceed \$25.00, in accordance with V.T.C.A., Code of Criminal Procedure art. 45.203(c), for the issuance and service of a warrant of arrest for an offense committed under V.T.C.A., Penal Code § 38.10 (bail jumping and failure to appear), or under V.T.C.A., Transportation Code § 543.009 (violation of written promise to appear). Special expenses collected pursuant to this section shall be paid into the city treasury for the use and benefit of the city.

(Code 1999, § 62-11; Ord. No. O-08-53, § 1, 9-2-2008)

Sec. 62-12. - Assessment of administrative fees.

The presiding judge and any associate judge of the municipal court of the city may assess the administrative fee described in V.T.C.A., Code of Criminal Procedure art. 45.0511, of not more than \$10.00, at the dismissal of certain misdemeanor charges upon completing a driving safety course. Fees collected pursuant to this section shall be paid into the city treasury for the use and benefit of the city.

(Code 1999, § 62-12; Ord. No. O-08-53, § 1, 9-2-2008)

Sec. 62-13. - Assessment of security fee.

The presiding judge and any associate judge of the municipal court of the city may require a defendant convicted of a misdemeanor offense to pay a security fee of \$3.00 as a cost of court in accordance with V.T.C.A., Code of Criminal Procedure art. 102.017. All costs collected pursuant to this section shall be paid into a fund to be known as the municipal court building security fund.

(Code 1999, § 62-13; Ord. No. O-08-53, § 1, 9-2-2008)

Sec. 62-14. - Assessment of technology fee.

The presiding judge and any associate judge of the municipal court of this city may require a defendant convicted of a misdemeanor offense to pay a court technology fund fee of \$4.00 as a cost of court in

accordance with V.T.C.A., Code of Criminal Procedure art. 102.0172. All costs collected pursuant to this section shall be paid into a fund to be known as the municipal court technology fund.

(Code 1999, § 62-14; Ord. No. O-08-53, § 2, 9-2-2008)

Sec. 62-15. - Assessment of juvenile case manager fee.

The presiding judge and any associate judge of the municipal court of this city may require a defendant convicted of a fine-only misdemeanor offense to pay a court juvenile case manager fee of \$5.00 as a cost of court in accordance with V.T.C.A., Code of Criminal Procedure art. 102.0174. The presiding judge and any associate judge of the municipal court are authorized to waive the juvenile case manager fee in a case of financial hardship. All costs collected pursuant to this section shall be paid into a fund to be known as the juvenile case manager fund.

(Code 1999, § 62-15; Ord. No. O-08-53, § 2, 9-2-2008)

ORDINANCE NO. D-88-1

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, BY ADDING A NEW CHAPTER 31; CREATING THREE MUNICIPAL COURTS; PROVIDING FOR GENERAL POWERS AND DUTIES; PROVIDING FOR CONCURRENT JURISDICTION OF THE MUNICIPAL COURTS; CREATING THE OFFICES OF JUDGE; PROVIDING FOR THE APPOINTMENT AND QUALIFICATION OF THE PRESIDING JUDGE AND ASSOCIATE JUDGES; ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF THE PRESIDING JUDGE; ESTABLISHING POWERS AND DUTIES OF TEMPORARY JUDGES; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The Code of Ordinances of the City of Missouri City, Texas, is hereby amended by adding a new Chapter 31 to provide as follows:

"CHAPTER 31

"Municipal Court

"Sec. 31-1. Division of Municipal Court.

"There are hereby created within and for the City three (3) municipal courts for the filing of misdemeanor offenses arising within the territorial limits now or hereafter established for the City and for the trial of such other offenses as may be provided by law. Such courts shall be designated and known as 'Municipal Court,' 'Municipal Court Number 2,' and 'Municipal Court Number 3.'

"Sec. 31-2. General powers and duties.

"The powers and duties of each of the municipal courts shall be those defined and designated by the

laws of Texas and the Charter and ordinances of the City.

"Sec. 31-3. Each court to exercise concurrent jurisdiction.

"Each of the municipal courts shall have and exercise concurrent jurisdiction within the city limits of the City and such jurisdiction shall be the same as is now or hereafter may be conferred upon all municipal courts by the general laws of this state.

"Sec. 31-4. Offices of judge created.

"There are hereby created three (3) offices of judge. The presiding judge shall be Judge of the Municipal Court, and an associate judge shall be Judge of Municipal Court Number 2, and an associate judge shall be Judge of Municipal Court Number 3.

"Sec. 31-5. Appointment and qualification of judges.

"The judge referred to in this Chapter shall be appointed by City Council to serve at the discretion of the City Council. Each judge shall be an attorney licensed and practicing in the State of Texas and shall receive such salary as may be fixed by the City Council.

"Sec. 31-6. Presiding judge - duties and responsibilities.

"It shall be the duty of the presiding judge to direct the arrangement and trial of cases and order

any judge to exchange benches and preside in any municipal court. Such municipal courts and the judges thereof may transfer cases from one court to another and any judge of any such court may exchange benches and preside over any such court with the approval of the presiding judge. Any judge of any municipal court shall exercise complete judicial authority over the judgments, orders, and process of his court, the trial of cases therein, and the conduct of persons attending thereon. The presiding judge shall prescribe rules and policies, subject to the approval of City Council, for the conduct and operation of the municipal courts.

"Sec. 31-7. Appointment of temporary judges.

"The City Council shall have the power to appoint temporary judges of the municipal courts to serve whenever the presiding judge or an associate judge is temporarily unable to act.

"Sec. 31-8. Powers and duties of temporary judges.

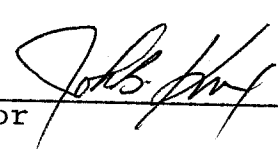
"The temporary judges of the Municipal Court shall act as judge of such courts or may exchange benches and act as Judge of the Municipal Court, Municipal Court Number 2, or Municipal Court Number 3, or may sit as judge in any of such courts, or try cases on transfer from any of such courts, or transfer cases to any of such courts, but shall act as judge of

any such courts only when the regular judge thereof is absent or unable to act for any reason. The presiding judge shall, subject to the approval of City Council, prescribe the conditions under which the associate judges shall sit as judges in any of the municipal courts. The temporary judges shall receive such salary as may be fixed by the City Council."

Section 2. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED on first reading this 21st day of December, 1987.

PASSED, APPROVED, and ADOPTED on second and final reading this 4th day of January, 1988.

Mayor 

ATTEST:

Rice Church
City Secretary

APPROVED AS TO FORM:

Wm. A. Blum, Jr.
City Attorney

ORDINANCE NO. O-10-18

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING CHAPTER 62, MUNICIPAL COURT, OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS; PROVIDING RULES AND REGULATIONS FOR THE OPERATION OF COURTS, THE TRANSFER OF CASES, AND THE AUTHORITY OF JUDGES AND THE COURT ADMINISTRATOR; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The Code of Ordinances of the City of Missouri City, Texas, is hereby amended by deleting Sections 62-6 and 62-8 of Chapter 62 thereof and substituting therefor new Sections 62-6 and 62-8 of Chapter 62, respectively, to provide as follows:

“Chapter 62

MUNICIPAL COURT

.....

Sec. 62-6. Conduct and operation of courts; transfer of cases; authority of judges and court administrator.

The city court administrator shall facilitate the equitable scheduling of dockets. Municipal courts and the judges thereof may transfer cases from one court to another and any judge of any such court may exchange benches and preside over any such court, subject to the approval of the judge of each municipal court affected by such transfer or exchange. Any judge of any municipal court shall exercise complete judicial authority over the judgments, orders and process of his court, the trial of cases therein, and the conduct of persons attending thereon.

.....

Sec. 62-8. Powers and duties of temporary judges; compensation.

The temporary judges of the municipal court shall act as judges of the Municipal Court, Municipal Court Number 2 or Municipal Court Number 3, but only when the regular judge thereof is absent or unable to act for any reason. When so acting, a temporary judge may act or sit as judge of any such courts, may exchange benches with other judges, may hear and decide cases of any such courts, or may transfer cases to or from any such courts. The temporary judges shall receive such salary as may be fixed by the city council."

Section 2. Repeal. All ordinances and resolutions or parts of ordinances and resolutions, if any, in conflict herewith, shall be and are hereby expressly repealed to the extent of such conflict only.

Section 3. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED on first reading this 19th day of April, 2010.

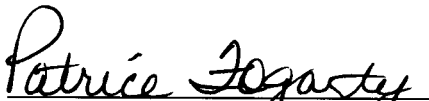
3^d PASSED, APPROVED and ADOPTED on second and final reading this day of May, 2010.



Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:


Patrice Fogarty, City Secretary
Caroline Kelley, City Attorney

	Judge Monthly	Judge Per Docket	Judge Hourly	Judge Annualized - (Court only)	PA Monthly	PA Per Docket	PA Hourly	PA Annualized	Notes
Abilene				106090				66950	Both FT w/benefits
Baytown				125000				82625	768 dockets/yr; Both FT w/benefits
Bellaire	625	200		73100	450	200		71000	328 dockets/yr; both contracted positions
Belton	1929				3500				Both Contract. Judge - 1 time/wk for court. PA handles pretrials and City Legal Services (All Council and Staff Meetings as well as legal questions).
Bryan				109650				55600	Both FT w/benefits
Burleson				50400				96500	Judge PT (25hrs/wk) & receives medical and retirement benefits; FT Deputy City Attorney also serves as PA
Cedar Park			80					68031	Judge is contract; PA is FT
Cleburne				50000			150		Judge is contract; PA is paid/hr & amount varies monthly; 138 dockets in 2016
Conroe	2900				n/a				
Deer Park	3500			42000	2500			30000	
Friendswood				46800	n/a				
Fulshear	300	325					100		Typically 36 dockets per yr
Grapevine				124468			135		Judge annual salary not tied to # of dockets; PA contract
Houston	No Response								
Humble		250		51000		200		40800	204 dockets/yr; both PT
Jersey Village	1625	325		47500	1500	300		25200	Monthly Rates are Average
Katy	No Response								
La Porte	11374.13	n/a	65.62	136489.6	n/a	n/a	n/a	n/a	
League City			200			150			
Lewisville				139868					Judge FT; no PA
Missouri City			95						682 hrs @ \$95 = \$64,790. Jail visits are paid at \$100 per
Pasadena			100						
Pearland				113516					FT Judge \$113,516; PT Judge \$99.81/hr.; 600 dockets for 2016
Richardson			100				170		Judge \$100/hr; Asst Judge \$90/hr; PA Contract
Rosenberg			100						
San Marcos			65				75		Less than 1000 hrs per year. As a part time employee, earns proportionate leave
Sealy	1493.5			17922	1100			13200	Judges- 35 dockets/yr; PA 23 dockets/yr
Stafford		225		54000		200		48000	240 dockets/yr
Sugarland				114500				71302	376 dockets for 2016
Victoria	2083			25000			100		Judge PT - no benefits; PA Contract @ \$100/hr, capped at \$20K/yr
Webster		350					150		
West University				16899				13519	magistrations pay; Asst PA \$268/docket; 28 dockets in 2016
Woodlands Township	No Response								
Wylie	2000			24000			130	70200	Assoc Judge \$1500 monthly/\$18000 annually; 165 dockets
Avg	\$2,783	\$279	\$101	\$73,410	\$1,810	\$210	\$126	\$53,781	
Max	\$11,374	\$350	\$200	\$139,868	\$3,500	\$300	\$170	\$96,500	
Min	\$300	\$200	\$65	\$16,899	\$450	\$150	\$75	\$13,200	
Median	\$1,965	\$288	\$98	\$52,500	\$1,500	\$200	\$133	\$61,275	

FY 2017

	Court Dockets Hours (\$95 per hour)	Jail/Call-in - per visit (\$100 per occurrence)
Sinclair-Champagne		
July	20.5	12
August	18	8
September	23.25	6
October	52	14
November	14.5	10
December	12.75	11
January	20	12
February	26.25	11
March	33.75	12
April	48	15
May	37	8
June	31.75	8
Total	337.75	127
Amount	\$32,086.25	\$12,700.00
Richter		
July	21.25	
August	24.75	
September	18.5	
October	30.5	
November	12.75	
December	12.5	
January	19.25	
February	24	
March	18.25	1
April	19.25	
May	13	
June	16.5	
Total	230.5	1
Amount	\$21,897.50	\$100.00
Rosenberg		
July	16	
August	7.75	3
September	8.5	2
October	13.5	1
November	15	
December	19.75	
January	8	
February	9.25	
March	14	
April	12	
May	15.25	
June	8	
Total	147	6
Amount	\$13,965.00	\$600.00
Total YTD for all	\$67,948.75	\$13,400.00



CITY COUNCIL AGENDA ITEM COVER MEMO

May 1, 2017

To: Mayor and City Council
Agenda Item: 2(b) Municipal Courts of Record
Submitted by: E. Joyce Iyamu, City Attorney

SYNOPSIS

Staff was asked to present information regarding municipal courts of record.

BACKGROUND

Municipal courts of record may be created by the Legislature or state law (by ordinance). Section 30.00003 of the Texas Government Code allows the governing body of a city to, by ordinance, create a municipal court of record *if* the governing body determines that the creation of the court is necessary to provide a more efficient disposition of cases arising in the city. According to the Texas Municipal Court Education Center, of the 928 municipal courts in Texas, 108 of them are municipal courts of record (11%). A list of those courts is attached.

According to an article printed in the Texas Municipal Court Recorder, a municipal court of record is particularly beneficial if a municipal court is receiving a large number of appeals. 0.00024 % of cases (5) were appealed in 2015 and 2016 in the City of Missouri City (the "City").

A municipal court of record may provide additional jurisdiction in the following areas:

- Criminal cases arising under sections relating to slaughterhouses, dairy, nuisances in the extraterritorial jurisdiction, property owned by a city outside of the city, and water pollution;
- Civil jurisdiction for the purpose of enforcing city ordinances pursuant to dangerous structures, or junked vehicles; and
- Concurrent jurisdiction with a district court for civil actions relating to health and safety nuisance abatement ordinances.

A presiding judge in a municipal court of record has duties that are set forth in Section 30.00007 of the Texas Government Code, which are as follows:

- maintaining a central docket for cases filed within the territorial limits of the municipality over which the municipal courts of record have jurisdiction;
- providing for the distribution of cases from the central docket to the individual municipal judges to equalize the distribution of business in the courts;
- requesting the jurors needed for cases that are set for trial by jury;
- assigning judges and substitute judges to benches and to requiring them to act for each other in a proceeding pending in a court if necessary for the expeditious disposition of business in the courts; and
- supervising and control the operation and clerical functions of the administrative department of each court, including the court 's personnel, during the proceedings of the court.

BUDGET ANALYSIS

Funds are not being requested at this time.

SUPPORTING MATERIALS

1. Texas Municipal Courts Education Center list of certain Texas municipal courts of record

STAFF'S RECOMMENDATION

This material is being provided for informational purposes. As such, there is no recommendation.

Director Approval:

E. Joyce Iyamu, City Attorney

2017 List of Municipal Courts of Record*

Addison	Haslet	Sansom Park
Amarillo	Highland Village	Schertz
Arlington	Hill Country Village	Caldwell
Austin	Hollywood Park	Carrollton
Azle	Horsehoe Bay	Cleveland
Balch Springs	Houston	College Station
Bedford	Hudson Oaks	Coppell
Bee Cave	Hurst	Corpus Christi
Bellaire	Irving	Crowley
Benbrook	Keller	Cuney
Boerne	Kennedale	Dallas
Booker	North Richland Hills	Dalworthington Gardens
Bryan	Odessa	Denton
Buffalo	Orange	DeSoto
Bullard	Palmview	Dimmitt
Bulverde	Pantego	Dripping Springs
Burkburnet	Pearland	Duncanville
Burleson	Plano	Eagle Pass
Caddo Mills	Pleasanton	El Paso
Farmers Branch	Rancho Viejo	Eules
Flower Mount	Reno	Everman
Forest Hills	Richardson	Killeen
Fort Worth	Richland Hills	La Villa
Garland	Rio Bravo	La Ward
Garrison	River Oaks	Lake Bridgeport
Grand Prarie	Rollingwood	Lake Worth
Grandview	Rowlett	Lakeway
Grapevine	San Antonio	Laredo

Lewisville	Seabrook	Universal City
Live Oak	Silsbee	Watauga
Longview	Southlake	Wells
Lubbock	Stafford	Westlake
Mansfield	Sweetwater	Westworth Village
Marshall	Taylor	Wichita Falls
Meadowlakes	Tenaha	Wimberley
Midland	Trophy Club	Windcrest

*Note: This list is found on the Texas Municipal Courts Education Center website, available at http://www.tmcec.com/resources/more-resources/courts_of_record/



**CITY COUNCIL
AGENDA ITEM COVER MEMO**

May 1, 2017

To: Mayor and City Council
Agenda Item: 2c Discussion on the new agenda packet process.
Submitted by: Anthony Snipes, City Manager
Maria Jackson, City Secretary

SYNOPSIS

Discussion on the new agenda packet process.

STRATEGIC PLAN 2019 GOALS ADDRESSED

- Develop a high performing City team

BACKGROUND

After each Council Meeting Agenda is posted, Council members will often have questions regarding some of the items posted. The Question and Answer Process (Q&A Process) will allow Council to post questions to City Staff after distribution of the preliminary agenda packet (approximately 6 business days prior to each City Council meeting).

Staff's intent is to provide the cover letter and all back-up material, if available, during the posting of the preliminary agenda. Questions are requested from City Council by 4:00 p.m. the Wednesday before the Council Meeting to the City Secretary's Office. This will allow for responses to be made two days later on Friday, before 5:00 p.m., which is the official posting date.

BUDGET ANALYSIS

Not applicable.

SUPPORTING MATERIALS

1. City Council Agenda Items Question & Answer Process
2. 2017 Master City Council Planning Calendar

STAFF'S RECOMMENDATION

Discuss the new agenda packet process.

Director Approval: Maria Jackson, City Secretary

City Manager Approval: Anthony Snipes, City Manager



CITY COUNCIL AGENDA ITEMS QUESTION & ANSWER PROCESS

QUESTION AND ANSWER PROCESS

After each Council Meeting Agenda is posted, Council members will often have questions regarding some of the items posted. The Question and Answer Process (Q&A Process) will allow Council to post questions to City Staff after distribution of the preliminary agenda packet (approximately 6 business days prior to each City Council meeting).

Staff's intent is to provide the cover letter and all back-up material, if available, during the posting of the preliminary agenda. Questions from Council are due to the City Secretary's Office by 4:00 p.m. the Wednesday before the Council Meeting. This will allow for responses to be made two days later on Friday, before 5:00 p.m., which is the official posting date.

CITY SECRETARY'S OFFICE ROLE

The City Secretary's Office role will be as follows:

1. Receive all questions from Councilmembers;
2. Post questions to City Staff members with a response deadline;
3. Distribute all preliminary agenda packet questions to Council before 5:00 p.m. the Wednesday before the Council meeting by email and by placement in corresponding agenda packet Dropbox folder; and,
4. Release City Staff's response to all questions to Council before 5:00 p.m. the Friday before each City Council meeting.

NOTIFICATION

Once City Council has been informed of the questions, the appropriate City Staff member will be contacted for a response. The appropriate City Staff member to be contacted for a response may be found by accessing the agenda item cover memo. The memo includes the name of the responsible person leading discussion of the Council agenda item. Those point person(s) will receive a notification email regarding Council questions. If they are not listed, Department Directors, Executive Assistants, Office Managers, and the corresponding Assistant City Manager (ACM) should be copied on the question notification.

The notification email lets City Staff members know a question has been submitted for their response and will include the agenda item meeting date, agenda item number and, if possible, the posting language. The notification email will also include a deadline for the response.

All responses need to be approved by the corresponding departments ACM. The City Secretary or her designee enters responses into the "City Council Q&A" Dropbox folder as they are received.

COMPILING & DISTRIBUTION

The City Secretary's Office will compile responses to the Q&A Report template as responses are received. Staff will then compile and submit the Q&A Report in its final form before 5:00 p.m. on the Friday before the Council meeting. If staff responses to some questions remain outstanding, another report will be distributed once the outstanding staff responses have been submitted.

City Council and the City Manager's Office will receive a copy of the Q&A Report upon completion.

RETENTION

A copy of the final Q&A Report will be placed in the "City Council Q&A" Dropbox folder by corresponding meeting date. The same report will be attached to a Q&A distribution email. The City Secretary's Office will retain all reports in Questys, the City's records management software.

TEXAS PUBLIC INFORMATION ACT NOTIFICATION

Members of the public will be allowed access to the Q&A Report from the City Secretary's Office upon receipt of a public information request.

TEXAS OPEN MEETINGS ACT NOTIFICATION

Discussion of the Q&A Report in numbers constituting a quorum is a violation of the Texas Open Meetings Act. The Act defines "quorum" as a majority of the governing body.

CITY OF MISSOURI CITY 2017 (revised 4/2017)

Master City Council Planning Calendar

April 2017						
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December 2017						
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STAFF HOLIDAYS	
January 2, 2017	Day After New Year's Day
January 16, 2017	Martin Luther King Day
April 14, 2017	Good Friday
May 29, 2017	Memorial Day
July 4, 2017	Independence Day
September 4, 2017	Labor Day
November 23, 2017	Thanksgiving Day
November 24, 2017	Friday after Thanksgiving Day
December 22, 2017	Christmas Eve
December 25, 2017	Christmas Day

LEGEND	
	City Council Meeting
	Agenda Planning Meeting w/ 30-60-90 agenda calendar submissions @ 9:00 a.m. (Council Conference Room - MANDATORY LEADERSHIP TEAM OR DEPT. REPRESENTATIVE MEETING)
	Deadline for all agenda item background material (approx. 8 business days prior to a City Council Mtg)
	Preliminary Agenda Packet to City Council @ 5:00 p.m. (approx. 6 business days prior to a City Council Mtg)
	City Council Agenda Packet Question Submission Period to City Secretary (Saturday to Wednesday)
	City Manager's Office/Finance/City Attorney/City Secretary meet & review the packet (approx. 5 business days prior to a City Council mtg)
	Agenda Posted to the Web; and, Agenda Packet Responses Released to City Council @ 4:00 p.m. (1 business day prior to a City Council mtg)