

ORDINANCE NO. 20171012-014

AN ORDINANCE AMENDING CITY CODE TITLE 2 RELATING TO THE MUNICIPAL COURT, THE DOWNTOWN AUSTIN COMMUNITY COURT, AND THE CREATION OF A CITY COUNCIL JUDICIAL COMMITTEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection (B) of City Code Section 2-5-103 (*Council Committees Created; Subject Matter of Each Committee*) is amended to read:

(B) Council creates the following standing committees:

- (1) The Audit and Finance Committee may review audit reports, matters related to the city auditor, the city clerk, internal services, bond oversight, purchasing and contract audits, taxation, financial policy, government performance, bonds and City debt, bond-funded programs, retirement systems, employee benefits, banking and investment policies, performance metrics and reporting, budget matters, affordability, and related matters. The Audit and Finance Committee shall also have oversight of the City's boards and commissions.
- (2) The Mobility Committee may review land use as it concerns mobility, all transportation modes including, roads, aviation, public transit, pedestrian programs, bicycle programs, ground transportation, taxicab regulation, Lone Star Rail, core transit corridors, and related matters.
- (3) The Austin Energy Utility Oversight Committee may review issues related to the City's electric utility. The Austin Energy Utility Oversight Committee is a committee of the whole council. Six members of the committee are a quorum, and the favorable votes of a majority of the quorum present at the meeting are required for the committee to take action. The

committee may create subcommittees, including a subcommittee to address Austin Energy's business model.

- (4) The Health & Human Services Committee may review social services, education, public health, health care services, animal welfare, sustainable food, social equity, veterans' affairs, populations at risk, and related matters.
- (5) The Housing and Planning Committee may review housing and related land use and mobility issues, community development block grants, the City's comprehensive plan, the land development code, development processes, neighborhood planning, noise, annexations, and related matters.
- (6) The Judicial Committee may review the municipal court, the Downtown Austin Community Court, and related matters, including making recommendations to the full council on the following:
 - (a) appointment of municipal court judges, including the presiding judge;
 - (b) evaluation of the performance of the presiding judge of the municipal court;
 - (c) consultation with municipal court judges on the development of performance criteria for the evaluation of municipal court judges under Section 2-10-11(B)(10) (Presiding Judge);
 - (d) appointment of the clerk of the municipal court;
 - (e) appointment of the judge of the Downtown Austin Community Court; and
 - (f) evaluation of the performance of the judge of the Downtown Austin Community Court.

PART 2. Subsection (B) of City Code Section 2-10-11 (*Presiding Judge*) is amended to read:

(B) The presiding judge shall:

- (1) maintain administrative control and oversight of municipal court judges;
- (2) adopt rules for the orderly trial of a case in the municipal court;
- (3) maintain a central docket for the cases within the municipal court's jurisdiction;
- (4) distribute cases from the central docket to the municipal judges to equalize the workload of each judge;
- (5) set the work hours for each judge;
- (6) schedule and approve vacation, sick leave, and other absences for each judge;
- (7) assign the duties of each judge;
- (8) assign municipal judges to exchange benches and to act for each other in a pending proceeding;
- (9) if necessary, assign a substitute judge to act in a judge's absence;
- (10) at least twice during each term, evaluate the performance of each judge on criteria other than a decision made in a judicial proceeding and forward the evaluation to the Council Judicial Committee; and
- (11) perform the other duties of the presiding judge under Chapter 30 (Municipal Courts of Record) of the Texas Government Code.

PART 3. Subsection (D) of City Code Section 2-10-33 (*Judge*) is repealed.

PART 4. The Council finds that creation of the Judicial Committee and other judicial matters constitute an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, October 12, 2017

APPROVED:



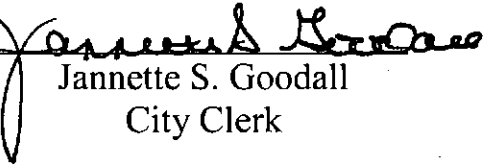
Anne L. Morgan
City Attorney

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Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk