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ORDINANCE NO.

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

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

3 (4) The Health & Human Services Committee may review social
4 services, education, public health, health care services, animal
5 welfare, sustainable food, social equity, veterans' affairs,
6 populations at risk, and related matters.

7 (5) The Housing and Planning Committee may review housing and
8 related land use and mobility issues, community development
9 block grants, the City's comprehensive plan, the land
10 development code, development processes, neighborhood
11 planning, noise, annexations, and related matters.

12 (6) The Judicial Committee may review the municipal court, the
13 Downtown Austin Community Court, and related matters,
14 including making recommendations to the full council on the
15 following:

16 (a) appointment of municipal court judges, including the
17 presiding judge;

18 (b) evaluation of the performance of the presiding judge of
19 the municipal court;

20 (c) consultation with municipal court judges on the
21 development of performance criteria for the evaluation of
22 municipal court judges under Section 2-10-11(B)(10)
23 (Presiding Judge);

24 (d) appointment of the clerk of the municipal court;

25 (e) appointment of the judge of the Downtown Austin
26 Community Court;

27 (f) the hours of work and the duties of the judge of the
28 Downtown Austin Community Court; and

1 (g) evaluation of the performance of the judge of the
2 Downtown Austin Community Court.

3 **PART 2.** City Code Section 2-10-33 (*Judge*) is amended to add new
4 Subsections (E) and (F) to read:

5 (E) The Council shall set the hours of work and the duties of the judge of
6 the Downtown Austin Community Court.

7 (F) The mayor or, in the mayor's absence, the mayor pro tem, shall
8 schedule and approve leave for the judge of the Downtown Austin
9 Community Court.

10 **PART 3.** Subsection (B) of City Code Section 2-10-11 (*Presiding Judge*) is
11 amended to read:

12 (B) The presiding judge shall:

13 (1) maintain administrative control and oversight of municipal court
14 judges;

15 (2) adopt rules for the orderly trial of a case in the municipal court;

16 (3) maintain a central docket for the cases within the municipal
17 court's jurisdiction;

18 (4) distribute cases from the central docket to the municipal judges
19 to equalize the workload of each judge;

20 (5) set the work hours for each judge;

21 (6) schedule and approve vacation, sick leave, and other absences
22 for each judge;

23 (7) assign the duties of each judge;

24 (8) assign municipal judges to exchange benches and to act for each
25 other in a pending proceeding;

- 1 (9) if necessary, assign a substitute judge to act in a judge's
2 absence;
- 3 (10) at least twice during each term, evaluate the performance of
4 each judge on criteria other than a decision made in a judicial
5 proceeding and forward the evaluation to the Council Judicial
6 Committee; and
- 7 (11) perform the other duties of the presiding judge under Chapter
8 30 (Municipal Courts of Record) of the Texas Government
9 Code.

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

14 **PASSED AND APPROVED**

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18 _____, 2017

19 _____
20 Steve Adler
21 Mayor

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23 **APPROVED:** _____
24 Anne L. Morgan
25 City Attorney

23 **ATTEST:** _____
24 Jannette S. Goodall
25 City Clerk