

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: June 8, 2021

PUBLIC HEARING DATE:

CONTACT PERSON(S) NAME AND PHONE NUMBER: Lilia Worrell, Municipal Court Clerk
915-212-5822

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: No. 2: Set the Standard for Safe and Secure City

SUBGOAL: 2.7 Maximize Municipal Court efficiency and enhance customer experience

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

An Ordinance relating to the creation of one division of Municipal Court Number Five to create a temporary court for a period of 12 months.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

This Ordinance will constitute the City's approval and action to create one division within the Presiding Judge's Court. This division is a separate temporary court that will be presided over by Associate Judges, as assigned by the Presiding Judge.

The time period will be from August 1, 2021 to July 31, 2022. As of April 30, 2021, there are approximately 131,516 cases awaiting trials or hearings in Municipal Court. The temporary court will focus on traffic, animal, accident, pre-capias/warrant and environmental cases.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, periodically City Council has created temporary courts to allow for swifter case processing. A temporary court was established August 22, 2006 and on January 1, 2012.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Court Salaries, Benefits and Operations	\$ 360,359
Prosecutor	99,432
EPPD	400,000

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Municipal Court
SECONDARY DEPARTMENT: City Attorney's Office

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Lila Worrell

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, Texas Government Code section 29.007 authorizes a home-rule municipality, by charter or ordinance, to divide its Municipal Court into divisions, one of which is presided over by the presiding judge, and the divisions by associate judges with the same powers of the presiding judge; and

WHEREAS, City Code Section 2.44.010(B) authorizes the City Council to establish, by resolution, a temporary division of the presiding judges to provide efficient adjudication of a large number of pending cases caused by unforeseen circumstances; and

WHEREAS, there is a significantly large number of pending cases caused by closures, and safe distancing requirements at the Municipal Courts due to the COVID-19 pandemic; and

WHEREAS, the creation of a temporary division of the current presiding Judge's designated court, Municipal Court Number Five for one year, will allow for a more expeditious adjudication of these pending cases and disposition of the business of the Courts.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council hereby authorizes a temporary municipal court, to be known as Court 5T, in accordance with City Code 2.44.010(B) for one year, beginning on August 1, 2021 and ending on July 31, 2022 in order to assist with a large number of pending cases caused by the closures, and safe distancing requirements in response to the COVID-19 Pandemic.

Court 5 T shall operate as directed by the Presiding Municipal Judge, pursuant to Texas Government Code Section 30.00128(f). This division of the Court may be in concurrent and continuous session, either day or night or full time or part time, at the discretion of the Presiding Judge.

The Presiding Judge shall assign the various Substitute Associate Municipal Court Judges to Court 5 T in accordance with applicable law.

PASSED AND APPROVED this 8th day of June 2021

CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO CONTENT:

Lilia Worrell

Lilia Worrell, Director
El Paso Municipal Court

APPROVED AS TO FORM:

Kristen Hamilton-Karam

Kristen Hamilton-Karam
Senior Assistant City Attorney