

ORDINANCE NO. 2024-1466

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, APPOINTING THE JUDGE OF THE MUNICIPAL COURT AND ALTERNATE JUDGES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, Section 4.05 of the City of Fulshear, Texas, (“City”) home-rule charter states that “[t]he City Council shall appoint Municipal Judge(s)”; and

WHEREAS, Section 29.005 of the Texas Government Code provides that “[t]he judge of a municipal court serves for a term of office of two years,” and that “[a] municipal court judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority, continue to serve for another term of office beginning on the date the previous term of office expired”; and

WHEREAS, the City previously appointed a municipal judge and one or more persons meeting the qualifications for the position to sit for the regular municipal judge if the regular municipal judge is temporarily unable to act; and

WHEREAS, the City desires to appoint a judge of the municipal court and alternate judges as provided for by the City’s home-rule charter and Chapter 29 of the Texas Government Code;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1. That the facts and recitations found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. The City of Fulshear, Texas, hereby appoints Kelly Crow as the Judge of the Municipal Court.

Section 3. The City of Fulshear, Texas, hereby appoints David Hunter as the first Alternate Judge of the Municipal Court.

Section 4. The City of Fulshear, Texas, hereby appoints Tricia Krennek as the second Alternate Judge of the Municipal Court.

Section 5. The City sets the pay for the Judge of the Municipal Court to be \$425.00 per docket and \$400.00 per month for Magistration.

Section 6. The City sets the pay for the first Alternate Judge of the Municipal Court to be \$425.00 per docket and \$400.00 per month for Magistration.

Section 7. The City sets the pay for the second Alternate Judge of the Municipal Court to be \$425.00 per docket and \$125.00 per Magistration.

Section 8. The Judge of the Municipal Court shall fulfill all statutory duties including magistrate functions or may assign such duties and functions as allowed by law.

Section 9. The Judge of the Municipal Court shall set the schedule, duties, and functions of the Alternate Judges of the Municipal Court.

Section 10. The City ratifies all past actions of the Judge of the Municipal Court and any Alternate Judge of the Municipal Court.

Section 11. *Severability.* 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 Fulshear, 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.

Section 12. *Effective Date.* This Ordinance shall be and become effective on October 1, 2024.

PASSED, APPROVED, and ADOPTED this 17th day of September, 2024.

CITY OF FULSHEAR, TEXAS

Don McCoy, Mayor

ATTEST:

Mariela Rodriguez, City Secretary