

RESOLUTION NO. R2021-54

**A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS,
APPOINTING A PRESIDING JUDGE TO THE MUNICIPAL COURT FOR
THE UNEXPIRED TERM ENDING MAY 6, 2023; AND ESTABLISHING
COMPENSATION AND BENEFITS; AND PRESENTATION OF AN
ANNUAL REPORT TO CITY COUNCIL**

WHEREAS, the Municipal Court is established by City Charter Section 4.03 (entitled "Municipal Court"); and

WHEREAS, in accordance with City Charter subsection 4.03 B (entitled "presiding judge") the presiding judge is appointed by City Council and shall hold office for a term running concurrently with the mayor's term of office, unless sooner removed; and

WHEREAS, the Honorable Peggy Simons retired leaving an unexpired term ending on May 6, 2023; and

WHEREAS, after a comprehensive selection process, City Council desires to appoint the Honorable Tamara Tinney, who currently serves as an alternate judge, to the office of Presiding Municipal Court Judge for the unexpired term ending on May 6, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Appointment. The Honorable Tamara Tinney is appointed to serve as Presiding Judge of the Municipal Court.

Section two. Compensation. The Presiding Judge shall be compensated \$1200.00 monthly for performance of Duties described in section five.

Section three. Professional Development Training. The City shall pay registration costs for judicial training required by the Texas Rules of Judicial Education. Such training shall be obtained through the Texas Municipal Courts Education Center and registration shall be coordinated through the Municipal Court Clerk. The City shall reimburse the Presiding Judge mileage based on the IRS standard mileage rate for travel to and from the training facility and for and the reasonable costs of meals and incidentals, as determined by the City Manager, for each day the Presiding Judge attends training. Training is not considered performing duties and the Presiding Judge shall not be paid for training.

Section four. Employee Benefits. The Presiding Judge is not a City employee and shall not be entitled to participate in the City's employees' health insurance, retirement, or other employee benefits.

Section five. Duties.

The Presiding Judge shall perform the duties as prescribed by the laws of the state of Texas, which shall include the following:

- (A) **Judicial:** Preside over arraignments; prosecutor/defendant pretrial conferences and hearings; and bench trials; and jury trials; process and issue orders, summons, warrants, capias, and capias pro fines; and attend to post conviction matters as prescribed by law.
- (B) **Administrative Duties:** Establish a "Standing Fine" schedule in accordance with City Code Section 42.33; establish dates court shall be in session; establish standing orders for the orderly disposition of cases and efficient management of the court's docket; and coordinate the administration of the court's docket and related matters with the municipal court clerk.
- (C) **Post Arrest Arraignments:** Preside over arraignments of defendants in the Burnet County Jail in those instances where the County Magistrate is prohibited by statute to accept a plea of guilty and adjudicate such defendant for a City of Burnet offense.

Section six. Report to Council. Each year, at a regularly scheduled, or special called, public meeting the Presiding Judge shall present a report to City Council. The report shall inform the Council on the efficiency of court operations and shall include information related to the number of cases filed the preceding year; the number of cases that were closed and are still pending in the court from the prior year; and related matters. The report shall not include information related to the collections of fines or revenue by the court. At the request of the City Manager the Presiding Judge may be required to provide supplemental reports to City Council.

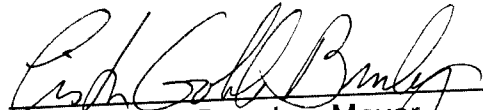
Section seven. Term of Office. Subject to City Charter Section 4.03 F (entitled "removal of municipal court judge") Judge Tinney is appointed to serve the remainder of the current unexpired two-year term ending May 6, 2023. Pursuant to Texas Government Code Sec. 29.005, if City Council neither takes action to reappoint Judge Tinney, nor appoint another to the office, by the 91st day following the expiration of a term of office, Judge Tinney shall continue to serve for another term of office beginning on the date the previous term of office expired.

Section eight. TOMA Compliance. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551 of the Texas Government Code.


Section nine. Effective Date. This Resolution shall become effective immediately upon approval and adoption.

Approved and adopted on the 26th day of October 2021

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

