



To: Mayor and City Council  
From: Sarah Staudinger, Assistant City Attorney  
Through: Jim Smith, City Attorney  
Date: June 1, 2020  
Subject: Ordinance formalizing the position and process of appointing the Presiding City Magistrate

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The City Code does not currently define or refer to the position of Presiding City Magistrate and does not formalize the procedures to appoint and reappoint the Presiding City Magistrate. The proposed ordinance formalizes this position and the processes for appointment and reappointment and provides further clarifications to these sections of the City Code.

These changes are made in two areas of the City Code related to City Magistrates (Title 1, Chapter 7) and the Judicial Advisory Board (Title 2, Chapter 3).

The new Title 1, Chapter 7, "City Magistrates and the Presiding City Magistrate," will formalize Council's duty to appoint a Presiding City Magistrate and the term of office of the Presiding City Magistrate and will further clarify the term of office served by City Magistrates. The term of office for the Presiding City Magistrate will be the same as the term of office for other City Magistrates. The terms of office will remain two-year terms for the first two terms served, followed by four-year terms for any subsequent terms served.

The amended Title 2, Chapter 3, "Judicial Advisory Board," will formalize the process of appointing and reappointing a Presiding City Magistrate and will provide increased flexibility for Council during that process. Council will have the opportunity to appoint and reappoint the Presiding City Magistrate either through Council's own process or may elect to have the Judicial Advisory Board review and recommend a person for the position of Presiding City Magistrate. The amended Code will also clarify that the Presiding City Magistrate, with approval of the City Manager, may appoint Magistrates Pro Tem on an as-needed basis. The appointment and reappointment process for City Magistrates will be unchanged other than minor clarifications.