



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Human Resources

CM/ DCM/ ACM: Sara Hensley, City Manager

DATE: November 15, 2022

SUBJECT

Consider adoption of an ordinance of the City of Denton appointing Tyler Atkinson as Presiding Judge for the City of Denton Municipal Court of Record; establishing a two-year term of office for the Presiding Judge commencing on the 1st day of October 2022 and extending through the 30th day of September 2024; providing severability and repealer clauses; and declaring an effective date.

BACKGROUND

This item is to approve a judicial appointment and term of office for Presiding Judge Tyler Atkinson. The judicial appointment process under the Denton City Charter, Code of Ordinances and Chapter 30 of the Texas Government Code is intended to address the validity and enforceability of the Court's judgments and orders.

While the Presiding Municipal Judge serves at the pleasure of the Council, the statutory period of appointment is for a specific two (2) year period. Under Article VI, Section 6.03 of the Denton City Charter, as well as Article II, Section 19-36 of the Denton Code of Ordinances, the Presiding Judge shall be appointed in even-numbered years, and the alternate judges appointed in odd-numbered years.

Judge Atkinson was initially appointed to a two-year term commencing July 13, 2020. Judge Atkinson was reappointed in 2021, which was not in accordance with the City's ordinance to appoint the presiding judge in even-numbered years. This action will bring the appointment back in line with the original two-year term and comply with the ordinance. The ordinance language addresses the previous term to ensure clarity in the term of appointment.

The City Council may appoint any person they feel is qualified and competent to serve in the capacity as Presiding Municipal Judge for the City of Denton Municipal Court, and could continue to do so in regular increments every two years.

If the Council does not take action within 90 days of the end of an appointment term, state law provides that on the 91st day, the term is extended for another two-year term by operation of law.

OPTIONS

Approve the ordinance as proposed, do not approve the ordinance, or make modifications.

EXHIBITS

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Ordinance

Respectfully submitted:
Sarah Kuechler
Director of Human Resources