

**RESOLUTION NO. 20-R-36**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS ESTABLISHING A BASIS OF PAY FOR THE JUDGE AND PROSECUTOR DURING THE PUBLIC HEALTH EMERGENCY AND DISASTER AND OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, the City of Schertz (the “City”) has declared a Public Health Emergency and Disaster; and

WHEREAS, the Governor of Texas has Executive Order No. GA-14 relating to statewide continuity of essential services and activities during the COVID-19 disaster;

WHEREAS, the operations of the Schertz Municipal Court have been disrupted by the Covid-19 disaster, and

WHEREAS, the operation of the Schertz Municipal Court has been disrupted but must continue in a modified way, and

WHEREAS, the Municipal Court Judge and Prosecutor are normally paid per court day, and

WHEREAS court days are no longer being held due to the need for social distancing and operations are being modified to continue to provide this essential service

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the Municipal Court Prosecutor to be paid an equivalent amount per month as he had been earning when court days were occurring, or \$2,800 per month and that the Prosecutor be paid on an hourly basis at a rate of \$130 per hour until such time as the Schertz Municipal Court resumes normal operations of holding court days each month at which time their compensation will return to what it had been or \$950 per session for the Judge and \$850 per session for the Prosecutor.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of

such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. 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, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 7<sup>th</sup> day of April, 2020

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary