



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: November 17, 2021

REPORT TO: Mayor and City Council
REPORT THRU: Daphne Hooper, City Manager
REPORT FROM: Kathy Bennett, Court Administrator
REVIEWED BY: Lori Matheus-Senior Municipal Court Judge
REVIEWED BY: Denise Lewis, City Treasurer

FINANCIAL IMPACT:

Yes: No:

CURRENTLY BUDGETED:

Yes: No:

FUND/ACCOUNT:

100-425-325

ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action): Approve Mayor's updated appointment of a panel of Judge's Pro Tem for Fernley Municipal Court.

Agenda Item Brief:

1. NRS 5.023 requires governing body of the City of Fernley to select a number of people it determines appropriate to comprise a panel of substitute Municipal Court Judges.
2. On March 7, 2012, the City Council consented to the mayor's appointment of a panel of Judges Pro Tem. This list is now outdated and requires an update.

Recommended Motion:

"I move to approve the panel of Judges Pro Tem for the Fernley Municipal Court."

Business Impact (per NRS Chapter 237):

- A Business Impact Statement is Attached.
- A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

BACKGROUND:

In accordance with Nevada Revised Statute 5.023, the governing body of the city, shall select a number of persons it determines appropriate to comprise a panel of substitute Municipal Court Judges.

The proposed panel is as follows:

1. Any person elected to serve as Justice of the Peace of Canal Township Justice Court, Dayton Township Justice Court, Walker River Justice Court
2. Cheri Emm-Smith, Esq-City of Yerington Municipal Court Judge
3. Any Senior Justice of the Peace or Senior Municipal Court Judge who has received a commission from the Supreme Court to serve as a Senior Municipal Court Judge.
4. Retired Deputy City Attorney Brent Kolvet, Esq

Compensation for Judge Pro Tem was established by the City Council in accordance with NRS 5.023 March 07, 2012. The rate was established at \$40.00 per hour, and later changed to \$49.50 per hour to reflect the change in annual salary of the sitting Municipal Court Judge.

Compensation schedules for Senior Judge are established by the Nevada Supreme Court Rule #12 and is set for the amount proportional to the gross monthly salary of the judge they are assigned to cover. The current compensation rate of Senior Judge/Judge Pro Tem is \$49.50 per hour, with a minimum of 4 hours plus mileage and reimbursement for accommodations.

FINANCIAL IMPLICATIONS:

Senior Judge/Judge Pro Tem has been budgeted in the Municipal Court's budget.