

ORDINANCE NO. 2018- 03

AN ORDINANCE AMENDING THE CURRENT MUNICIPAL COURT COMPENSATION CONTAINED IN THE BELEN MUNICIPAL CODE CHAPTER 2.16.060 WITH A REPEAL AND REPLACEMENT OF ORDINANCE 1997-20 (PART).

WHEREAS, the Governing Body of the City of Belen has previously adopted a part of Ordinance 1997-20;

WHEREAS, the Belen City Council has created Chapter 2.16.060 of the Belen Municipal Code entitled Municipal Court Compensation;

WHEREAS, the Governing Body of the City of Belen finds it necessary to amend such ordinance

NOW THEREFORE BE IT ORDAINED:

1. The City of Belen hereby repeals a part of Ordinance 1997-20 containing the Municipal Court Compensation Section.
2. The City of Belen hereby adopts the attached and amended Chapter 2.16.060 of the Belen Municipal Code.
3. The proposed amendments shall be kept on file with the office of the Belen City Clerk and added to the current Belen Municipal Code.
4. This Ordinance shall take effect 5 (five) days after publication of notice of adoption.

ORDAINED, ADOPTED AND APPROVED this 5th day of February, 2018.



Jerah Cordova, Mayor

Attest:



Leona Vigil, CMC, City Manager



Chapter 2.16 - MUNICIPAL COURT

AMENDMENTS

2.16.060 – Municipal Judge Compensation.

- A. Salary, benefits and amount of time to be worked by the municipal judge shall be provided by ordinance adopted by the governing body, which ordinance shall be adopted prior to the date of the beginning of any term for which the municipal judge is elected or appointed to serve. Compensation for the municipal judge shall not be changed during the term to which the judge has been elected.
- B. Salary, benefits, and amount of time to be worked by the municipal judge;
- (1) The salary of the Municipal Judge shall be \$45,000 per year effective March 12, 2018.
 - (2) The Municipal Judge shall not accrue any sick or vacation leave and shall not be compensated for such.
 - (3) The Municipal Judge shall be entitled to enroll in the same city health insurance plan, offered to other city employees.
 - (4) The Municipal Judge shall set their own schedules and determine the hours of operations needed to operate the municipal court for the public's best interest.

~~(Ord. 1997-20 (part) 1997)~~ (Ord. No. 2018-01 2/20/2018)

NOTICE OF INTENT TO ADOPT

NOTICE IS HEREBY GIVEN that the City of Belen Governing Body will conduct a public hearing and take action on the proposed Ordinance referenced:

AN ORDINANCE AMENDING THE CURRENT MUNICIPAL COURT COMPENSATION CONTAINED IN THE BELEN MUNICIPAL CODE CHAPTER 2.16.060 WITH A REPEAL AND REPLACEMENT OF ORDINANCE 1997-20 (PART).

The Belen City Council will allow for public input and take action at a public hearing which will be held on February 5, 2018 at 6:00 PM in the Council Chambers at City Hall, 100 South Main Street, Belen, New Mexico 87002.

A copy of the proposed ordinance is available for inspection at Belen City Hall Monday through Friday, 8:00 A.M. to 5:00 P.M. in the office of the Deputy City Clerk, 100 South Main Street, Belen, New Mexico 87002.

Dated this 10th day of January 2017.

/s/ _____
Brian McBain, Deputy City Clerk

Publish: Valencia County News Bulletin
January 18th, 2018 & January 25th, 2018.

VALENCIA COUNTY News-Bulletin

For Inquiries Please Call: (505) 864-4472

Ad Proof/Order Confirmation

Account Number
1001840

Ad Order Number
0001387820

CITY OF BELEN
100 SOUTH MAIN ST
BELEN, NM 87002 USA

Ordered By BRIAN

Customer Phone 5058648221

Joint Ad #

Customer EMail Brian.McBain@belen-nm.gov

PO Number 41175

Ad Cost \$74.44

Sales Rep abaldonado

Tax Amount \$6.19

Order Taker abaldonado

Total Amount \$80.63

Payment Method Credit Card

Amount Due \$80.63

Payment Amount \$0.00

Affidavits 0

Pick Up

Product News Bulletin
Ad Number 0001387820-01
Ad Type 0 Legal Liner
Ad Size 1 X 61 li
Color

Placement
Classification
Sort Text

0Legal Notices
0Government
NOTICEOFINTENTTOADOPTN
OTICEISHEREBYGIVENTHATT
HECITYOFBELENGOVERNING
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HEARINGANDTAKEACTIONON
THEPROPOSEDORDINANCE

Run Date
01/18/2018
01/25/2018

WYSIWYG Content

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A copy of the proposed ordinance is available for inspection at Belen City Hall Monday through Friday, 8:00 A.M. to 5:00 P.M. in the office of the Deputy City Clerk, 100 South Main Street, Belen, New Mexico 87002.

Dated this 11th day of January 2017.

/s/
Brian McBain,
Deputy City Clerk

Published in the Valencia County News-Bulletin on January 18 & 25, 2018.



Belen Municipal Court

Kathy Marquez - Savilla
Municipal Judge

525 Becker Avenue
Belen, New Mexico 87002
(505) 966-2670
Fax (505) 864-0361

To: Mayor Jerah Cordova
Councilor Wayne Gallegos
Councilor Frank Ortega
Councilor Darleen Aragon
Councilor David Carter

From: Judge Kathy Savilla

Date: January 31, 2018

Re: Salary Adjustment Municipal Court Judge – Reference Ordinance 2.16.060

I appreciate the opportunity we had to discuss a salary increase for the Municipal Judge position. As you know the level of pay for this position has remained the same since 2002 without any cost of living adjustments for the past 16 years.

While in this position I have continued to perform my professional judicial duties as the Municipal Court Judge for Belen, NM. My extensive experience (over 16 years) in applying the law, reviewing and denying requests for continuances, determining innocence or culpability when hearing cases is done with great consideration and respect while always considering the law and Belen's city ordinances. This position is also responsible for supporting court activities with the city attorney and other city departments and conducting hearings including property issues with code enforcement and dangerous animal cases. I will continue to achieve high expectations in office for our citizens of Belen.

I am writing to formally request the salary for this position be increased from \$45,000 to \$60,000 to keep in line with officials in the surrounding communities.

My role as the Municipal Judge is unique in the sense that we must be unbiased and impartial to avoid any appearance of bias or partiality. Public trust and confidence in the judiciary is key when we are rendering decisions. Decisions are based on interpretation of the law and not popular opinion or special interests.

I respectfully request that you review this position for a salary increase due to the importance of the judiciary in our community.

Respectfully,

The Honorable Judge Kathy M. Savilla
Belen Municipal Court

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the City of Belen held a public hearing during the Regular City Council Meeting that was held on Monday, February 5, 2018, in the Belen City Hall Council Chambers, 100 South Main St., Belen, NM, 87002, in reference to the adoption of Ordinance No. 2018-03 titled and described as:

**“AN ORDINANCE AMENDING THE CURRENT MUNICIPAL COURT
COMPENSATION CONTAINED IN THE BELEN MUNICIPAL CODE CHAPTER 2.16.060
WITH A REPEAL AND REPLACEMENT OF ORDINANCE 1997-20 (PART).”**

The City of Belen Governing Body approved and adopted the above referenced, Ordinance (No. 2018-03). A copy of the full Ordinance may be reviewed at the office of the Deputy City Clerk located at 100 South Main St. Belen, NM 87002.

This Ordinance shall become effective five days after publication.

DATED this 6th day of February, 2018, and published on the 15th day of February, 2018.

/s/ _____
Brian McBain, Deputy City Clerk