

ORDINANCE NO. 2025-29

APPOINTMENT OF ASSOCIATE MUNICIPAL JUDGE

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE APPOINTMENT OF JAY CABALLERO AS ASSOCIATE MUNICIPAL JUDGE OF THE CITY OF BASTROP MUNICIPAL COURT; TO COMPLETE AN UNEXPIRED TERM ENDING ON JUNE 19, 2025; AND REAPPOINTING SAID JUDGE FOR AN ADDITIONAL 3-YEAR TERM EFFECTIVE JUNE 20, 2025; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section §5.02 of the City of Bastrop Home Rule Charter states that the Judge of the Municipal Court “shall be nominated by the Mayor and appointed by the Council”; and

WHEREAS, Chapter 7 of the Bastrop City Code of Ordinances references a 3-year term, required qualifications and process for appointment of Municipal Judge and Associate Municipal Judge; and

WHEREAS, Section 7.01.003 of the Bastrop City Code of Ordinances states if a vacancy occurs in the office of municipal judge, the City Council shall adopt an ordinance appointing a qualified person to fill the office for the remainder of the unexpired term; and

WHEREAS, in accordance with Section 7.01.003 of the Bastrop City Code, the City Council has determined that it is in the best interest of the City of Bastrop and to ensure orderly operation of the City of Bastrop Municipal Court to appoint Jay Caballero, to fill the Associate Municipal Judge unexpired term ending on June 19, 2025 and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025; and

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

- Section 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** The City Council hereby appoints, under the authority of §5.02 of the City of Bastrop Home Rule Charter and Chapter 7 of the Bastrop Code of Ordinances, Jay Caballero, as Associate Municipal Judge, to complete the unexpired term ending June 19, 2025, and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025; and
- Section 3.** The City Council of Bastrop authorizes the City Manager to execute a contract for Associate Municipal Judge services between the City of Bastrop and Jay Caballero, as well as all other necessary documents related to this contract (attached and incorporated herein as Exhibit A); and
- Section 4.** Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.
- Section 5.** Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 6.** Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 7.** Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

READ & ACKNOWLEDGED on First Reading by the City Council of the City of Bastrop, on this, the 4th day of March 2025.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the 11th day of March 2025.

APPROVED:

by: _____
John Kirkland, Mayor Pro-Tem

ATTEST:

Victoria Psencik, Assistant City Secretary

APPROVED AS TO FORM:

City Attorney