

**23-017**

City Council Action and Executive Summary

Type of Action:

☒ Resolution☐ Ordinance☐ TIDD ResolutionDistrict: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☒ N/A

1st Reading:

Adopted:

August 1, 2022

Drafter:

Christine Rivera

Department:

City Clerk

Program:

Compliance

Line of Business:

Office of City Clerk

Title:

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF KIERAN RYAN TO ACT AS MUNICIPAL JUDGE II IN ACCORDANCE WITH THE CITY CHARTER, ARTICLE IX, SEC. 9.02(C).TYPE OF ACTION: ☒ Administrative ☐ Legislative ☐ Quasi-Judicial**PURPOSE(S) OF ACTION:**

To appoint a Municipal Judge II.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Las Cruces City Charter, Article IX, Section 9.02(c), authorizes the Las Cruces City Council, to "fill a vacancy by appointment of a municipal judge to serve until the next regular election."

Judge Joy Goldbaum currently presides over the Municipal Court as Municipal Court Judge I. There is currently a vacancy for the Municipal Court Judge II position.

Las Cruces Mayor Ken Miyagishima has recommended the appointment of Kieran Ryan to act as Municipal Judge II subject to the approval of the City Council. Mr. Ryan is a former Municipal Court Judge and has agreed to serve as Municipal Judge II until the next municipal election.

PLAN(S):

None

COMMITTEE/BOARD REVIEW:

None

ANNUAL BUDGET APPROVAL:☒ Yes☐ No☐ N/A**Does this action amend the Capital Improvement Plan (CIP)?**☐ Yes☐ No☒ N/A

Does this action align with Elevate Las Cruces?

- ☐ Yes
- ☐ No
- ☒ N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will appoint Kieran Ryan as Municipal Judge II until the next municipal election.
2. Vote "No"; this will not appoint Kieran Ryan as Municipal Judge II.
3. Vote to "Amend"; this will not appoint Kieran Ryan as Municipal Judge II.
4. Vote to "Table"; this will delay appoint of Kieran Ryan as Municipal Judge II and require additional direction to staff.

REFERENCE INFORMATION:

City Charter

RESOLUTION 23-017

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF KIERAN RYAN TO ACT AS MUNICIPAL JUDGE II IN ACCORDANCE WITH THE CITY CHARTER, ARTICLE IX, SEC. 9.02(C).

The City Council is informed that:

WHEREAS, the Las Cruces City Charter, Article IX, Section 9.02(c), authorizes the Las Cruces City Council, to "fill a vacancy by appointment of a municipal judge to serve until the next regular election"; and

WHEREAS, Judge Joy Goldbaum currently presides over the Municipal Court as Municipal Court Judge I; and

WHEREAS, there is currently a vacancy for the Municipal Court Judge II position; and

WHEREAS, Las Cruces Mayor Ken Miyagishima has recommended the appointment of Kieran Ryan to act as Municipal Judge II subject to the approval of the City Council; and

WHEREAS, Mr. Ryan is a former Municipal Court Judge and has agreed to serve as Municipal Judge II until the next municipal election.

NOW, THEREFORE, Be it Resolved by the Governing Body of the City of Las Cruces:

(I)

THAT the appointment of Kieran Ryan as Municipal Judge II is hereby approved.

(II)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this 01 day of August 2022

APPROVED

Mayor

ATTEST:

City Clerk

Moved by: Johana Bencomo

Seconded by: Tessa Abeyta

AYES Kasandra Gandara, Ken Miyagishima, Yvonne Flores, Johana Bencomo, Becki Graham, Tessa Abeyta

NAYS Becky Corran