

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 13C  
Amend No. \_\_\_\_\_

Date Prepared: June 27, 2007

Council Meeting Date: July 10, 2007

**TO:** Mayor Bob Barrett and City Council Members

**FROM:** Chairman Vicki Hunt and Committee Members Ron Aames and Joan Evans, City Council Subcommittee for Evaluation of Municipal Judge and City Attorney

**SUBJECT:** Terms and Conditions of the Contract for Municipal Court Judge Services

**BACKGROUND:**

You appointed me to chair a committee consisting of Council Members Ron Aames and Joan Evans to prepare recommendations regarding the evaluation and compensation of the City Attorney and Presiding Municipal Court Judge. The committee has met and is prepared to make recommendations. As in the past, the Judge prepared a summary of the accomplishments of the Court which continue to reflect the outstanding performance by the Presiding Judge George Anagnost and the staff of the Municipal Court.

The Human Resources Department provided staff support to the committee including a comparison of salary information in cities of comparable size to Peoria.

Based on comparisons with other Maricopa County cities, the salary paid to the Presiding Municipal Court Judge is approximately 4% below the average paid elsewhere.

**RECOMMENDATION:**

The recommended compensation changes address this disparity by recommending two salary adjustments: an approximate 2.5% adjustment effective June 30, 2007, increasing the current annual salary of \$141,500 to \$145,000; and another 1.5% adjustment effective the first pay period in January 2008, increasing the annual salary of \$145,000 to \$147,000. We are proposing that the Council approve the attached contract for Municipal Court Judge services, which has been prepared by the City Attorney.

**ATTACHMENTS:** Amendment to Contract for Municipal Judge Services

**CITY CLERK USE ONLY:**

- Consent Agenda
- Carry Over to Date: \_\_\_\_\_
- Approved
- Unfinished Business (Date heard previous: \_\_\_\_\_)
- Business

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON# 05696T LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

## AMENDMENT TO CONTRACT FOR MUNICIPAL JUDGE SERVICES

THIS AGREEMENT, made this 1st day of July, 2007, by and between George T. Anagnost, ("Municipal Judge") and the City of Peoria, a municipal corporation organized under the constitution and statutes of the State of Arizona ("City").

### RECITALS

WHEREAS the City operates a Municipal Court pursuant to Title 22, Arizona Revised Statutes, Article XI of the Peoria City Charter and Chapter 15 of the Peoria City Code; and

WHEREAS, the Mayor is authorized to appoint and the Council of the City consent to the appointment of a Presiding Municipal Judge pursuant to Section 15-2 of the Peoria City Code (1992); and

WHEREAS, the City and Municipal Judge desire to amend the Agreement dated July 1, 2006 pertaining to Municipal Judge Services.

THEREFORE, the parties agree as follows:

1. Application of City Charter and City Code and other applicable rules.

(a) This Amendment shall be subject to all the provisions of the Arizona Revised Statutes, Peoria City Charter and Peoria City Code (1992) and to all amendments to the Charter and Code.

(b) This Amendment also shall be subject to the Arizona Code of Judicial Conduct and the Administrative Orders of the Arizona Supreme Court and any other applicable statute or court rule as they pertain to the duties and responsibilities of lower court judges.

(c) All provisions of the Agreement between City and Municipal Judge, dated July 1, 2006 shall remain in full force and effect unless specifically amended by this Amendment.

2. Amendment

Paragraph 2(a) of the Agreement pertaining to Compensation of the Presiding Municipal Judge shall be amended to read as follows:

(a) The compensation for the Presiding Municipal Judge shall be set at the sum of One Hundred and Forty Five Thousand Dollars (\$145,000.00) per year, effective the beginning of the first full City pay period including July 1, 2007, subject to applicable federal and state income taxes and withholdings. Effective the beginning of the first full pay period that includes January 1, 2008, the compensation of the Presiding Municipal Judge shall be set at the sum of One Hundred and Forty Seven Thousand Dollars (\$147,000.00) On the annual anniversary date of this Agreement, the City Council shall evaluate the Presiding Municipal Judge and if the City Council in its sole discretion determined the Presiding Municipal Judge's performance to be satisfactory, the Presiding Municipal Judge's salary shall be adjusted up from the amount set forth in this section (the amount set forth above and that will include any cost of living increase) granted by the City Council, if any. The amount and timing of such increases shall be in the sole discretion of the City Council. Other than this section, the compensation shall not be adjusted during the term of this Agreement, except by a written amendment approved and executed by both parties.

3. Governing Law; Choice of Forum.

This Amendment shall be construed in accordance with and be governed by the laws of the State of Arizona.

In Witness Whereof the parties enter into this Amendment.

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George T. Anagnost  
Municipal Judge

CITY OF PEORIA

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Bob Barrett, Mayor

ATTEST:

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Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney