

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: December 10, 2013		DATE SUBMITTED: November 22, 2013	
DEPARTMENT OF ORIGIN: Human Resources		SUBMITTED BY: Kari French	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1ST READING	<input checked="" type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consideration of an ordinance pertaining to the classification and number of positions in the Bryan Police Department and Bryan Fire Department pursuant to Chapter 143.021 of the Texas Local Government Code. Also included in this proposed ordinance is an updated certification pay structure in the Bryan Fire Department pursuant to Chapter 143.044 of the Texas Local Government Code.			
SUMMARY STATEMENT: Section 143.021 of the Texas Local Government Code requires the Civil Service Commission to provide for the classification of all firefighters and police officers; and the City Council, by ordinance, to establish the classifications and prescribe the number of positions in each classification. Section 143.044 of the Texas Local Government Code provides that the City Council may authorize certification pay to those firefighters who meet the requirements for certification.			
<p>In January of this year (2013), the Civil Service Commission changed the classification/title of Deputy Fire Marshal to Deputy Fire Marshal-Battalion Chief and Inspector-Lieutenant to Deputy Fire Marshal-Lieutenant. These changes were recommended by the Fire Chief to better distinguish the positions and align more with industry standards. The recommendation is for City Council to establish, by this ordinance, these classification changes in the Bryan Fire Department.</p> <p>Also, the Fire Chief is submitting a certification pay structure in this ordinance to authorize payment to those firefighters who meet the requirement for certification set by the Texas Commission on Fire Protection.</p> <p>For Fiscal Year 2014, City Council approved the following positions to be added to the Bryan Fire Department: One (1) Deputy Fire Marshal-Lieutenant and six (6) Firefighters. These positions need to be established, by this ordinance, by the City Council.</p> <p>Finally, the Bryan Police Chief is recommending to the City Council that one (1) police officer position be replaced by one (1) police sergeant position. The one (1) officer position was created in March 2012, when the Bryan Police Department went from having three (3) assistant chief positions to two (2) assistant chief positions, pending a review of the administrative workload created by that reduction. The Bryan Police Chief has determined the command authority of a sergeant position is better equipped than the officer position to handle some of the administrative tasks required to make the Bryan Police Department as efficient and effective as possible.</p>			
STAFF ANALYSIS AND RECOMMENDATION: Approval of the proposed ordinance allows the Bryan Fire Department to utilize a more standard set of classifications/titles to better distinguish positions within the department and for comparison with other departments throughout the state; it allows the Bryan Fire Chief to compensate and reward, by authorizing certification pay, to those firefighters who meet the requirements and qualifications of certification; and it also will allow the Fire Department to better meet and maintain appropriate staffing levels, with the additional positions, to meet the operational needs of the department and the citizens of our community.			

In the Bryan Police Department, the exchange of one officer position for one sergeant position, as recommended in this ordinance, will allow the Police Chief and his staff to better complete the always increasing administrative workload. Having an additional sergeant position will also be of benefit when having to fill any short or long-term gaps in supervisory coverage when a sergeant is absent. Overall, this will lead to a more efficient and effective Police Department.

City staff recommends approving the proposed ordinance.

OPTIONS (In Suggested Order of Staff Preference):

1. Approve ordinance;
2. Do not approve ordinance; or
3. Recommend other staffing, classification and pay alternatives, which may require future City Council consideration and action.

ATTACHMENTS:

1. Proposed ordinance that includes updated classification/titles and number of positions in the Bryan Police and Fire Departments and a certification pay structure for the Bryan Fire Department.
2. Redline version of proposed ordinance that includes updated classification/titles and number of positions in the Bryan Police and Fire Departments and a certification pay structure for the Bryan Fire Department.

FUNDING SOURCE: The additional positions in the Bryan Fire Department were approved in the Fiscal Year 2014 General Fund Budget. The certification pay line item was submitted by the Fire Department in the budget process and was also approved in the Fiscal Year 2014 General Fund Budget.

The addition of a police sergeant and reduction of a police officer position in the Bryan Police Department will result in an increase of approximately \$15,000 that will need to be absorbed in the current Police Department budget.

APPROVALS: Hugh R. Walker, November 22, 2013

APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 11/25/2013

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 12/01/2013

Revised 05/2013

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NUMBER 1951 ADOPTED BY THE CITY COUNCIL PERTAINING TO CLASSIFICATIONS AND NUMBER OF POSITIONS IN THE FIRE AND POLICE DEPARTMENTS PURSUANT TO CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; AUTHORIZING THE UPDATED CERTIFICATION PAY STRUCTURE FOR THE BRYAN FIRE DEPARTMENT; ADDING SIX FIREFIGHTER POSITIONS AND ONE DEPUTY FIRE MARSHAL-LIEUTENANT POSITION IN THE FIRE DEPARTMENT AS APPROVED IN BUDGET; ADDING ONE POLICE SERGEANT POSITION AND REDUCING ONE POLICE OFFICER POSITION IN THE BRYAN POLICE DEPARTMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the citizens of the City of Bryan, Texas have adopted the civil service system for its fire and police departments;

WHEREAS, civil service is governed under Chapter 143 of the Texas Local Government Code;

WHEREAS, Texas Local Government Code, Section 143.021 requires that the governing body of a municipality shall establish the classifications and prescribe the number of positions in each classification by ordinance;

WHEREAS, Texas Local Government Code, Section 143.044 requires that the governing body authorize the certification pay to those firefighters who meet the requirements for certification;

WHEREAS, the City Council approved the Fiscal Year 2014 Budget which included the addition of six (6) firefighter positions and one (1) deputy fire marshal-lieutenant position to meet and maintain appropriate staffing levels to run the department as effectively and efficiently as possible; and

WHEREAS, the Chief of the Bryan Police Department recommends to the City Council that one (1) police officer position be eliminated in the Bryan Police Department and one (1) police sergeant be added to a) meet the operational needs of the department while b) providing another position of command to assist with the administrative workload and c) no budget amendment is necessary;

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

1.

Ordinance Number 1951 pertaining to classifications and positions for the Bryan Fire Department and the Bryan Police Department is hereby repealed.

2.

The classification plans for classified positions in the Fire and Police Departments shall be as follows:

PART ONE – FIRE DEPARTMENT

The following classifications of firefighters in the Fire Department shall exist effective on and after the dates set forth herein under the provisions of Chapter 143 of the Texas Local Government Code. These classifications and no others shall exist effective on and after the dates set forth herein with the number shown indicating the number of positions in each classification.

<u>Classification</u>	<u>Number in Classification</u>
Assistant Fire Chief – Operations	1
Assistant Fire Chief – Support Services	1
Assistant Fire Chief – EMS	1
Fire Marshal	1
Deputy Fire Marshal-Lieutenant	3
Battalion Chief	3
Deputy Fire Marshal-Battalion Chief	1
Fire Lieutenant	21
Fire Apparatus Operator	21
Firefighter	63

The classifications and number of positions above reflect the following changes:

- Classification/title change from Inspector/Lieutenant to Deputy Fire Marshal-Lieutenant;
- Classification/title change from Deputy Fire Marshal to Deputy Fire Marshal-Battalion Chief;
- Addition of one (1) Deputy Fire Marshal-Lieutenant; and
- Addition of six (6) firefighter positions.

PART TWO – POLICE DEPARTMENT

The following classifications of officers in the Police Department shall exist effective on and after the dates set forth herein under the provisions of Chapter 143 of the Texas Local Government Code. These classifications and no others shall exist effective on and after the dates set forth herein with the number shown indicating the number of positions in each classification.

<u>Classification</u>	<u>Number in Classification</u>
Assistant Police Chief	2
Police Lieutenant	6
Police Sergeant	21
Police Officer	108

The classifications and number of positions above reflect the removal of one (1) police officer position and addition of one (1) police sergeant position

3.

Such positions shall be filled pursuant to the provisions of Local Government Code, Chapter 143, and, if applicable, eligibility lists for the position.

4.

The certification pay structure for the Bryan Fire Department shall be as follows:

CERTIFICATION PAY PLAN	
<i>Certification</i>	<i>Amount</i>
Basic Structural Fire Protection	\$0.00
Intermediate Structural Fire Protection	\$75.00
Advanced Structural Fire Protection	\$100.00
Master Structural Fire Protection	\$150.00
Basic Fire Protection Instructor	\$25.00
Intermediate Fire Protection Instructor	\$50.00
Advanced Fire Protection Instructor	\$75.00
Master Fire Protection Instructor	\$100.00
"C" Inspector	\$0.00
"B" Inspector	\$0.00
"A" Inspector	\$25.00
Intermediate Inspector	\$50.00
Advanced Inspector	\$75.00
Master Inspector	\$100.00
Basic Fire & Arson Investigation	\$25.00
Intermediate Fire & Arson Investigation+A1	\$50.00
Advanced Fire & Arson Investigation	\$75.00
Master Fire & Arson Investigation	\$100.00
EMT	\$0.00
Intermediate EMT	\$50.00
Paramedic	\$150.00
Basic Peace Officer	\$50.00
Intermediate Peace Officer	\$75.00
Advanced Peace Officer	\$100.00
Haz-Mat	\$50.00
<i>Maximum Certification Pay</i>	<i>\$225.00</i>

5.

The chief executive of the municipality may appoint over the allotted number of positions in a beginning position in the fire and/or police department as necessary to maintain appropriate staffing levels of each department.

6.

That Ordinance Number 1951 and any and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

7.

That it is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Section 551, Texas Government Code, and that advance public notice of the time, place and purpose of said meetings was given.

8.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

9.

This Ordinance shall take effect immediately after its second and final reading.

PRESENTED AND GIVEN first reading the 10th day of December, 2013, at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, passed and approved on the 14th day of January, 2014, by a vote of ____ ayes and ____ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

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