

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: October 28, 2014		DATE SUBMITTED: September 24, 2014	
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 type="checkbox"/> 1ST READING	<input checked="" type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input 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 classifications and number of positions in the Bryan Police Department and Bryan Fire Department pursuant to Chapter 143.021 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. While changes to classifications are not being recommended in this ordinance, as proposed, the number of positions in the Bryan Police Department and the Bryan Fire Department will be affected.			
For Fiscal Year 2015, City Council approved the following position(s) to be added: two (2) Police Officers to the Bryan Police Department and six (6) Firefighters to the Bryan Fire Department. These positions need to be established, by this ordinance, by the City Council.			
STAFF ANALYSIS AND RECOMMENDATION: Approval of the proposed ordinance allows the Bryan Police Department and the Bryan Fire Department to maintain appropriate staffing levels to meet the operational needs of the department and the citizens in our community. Upon approving the FY2015 budget, the City Council approved funding for these positions. City staff recommends approving the proposed ordinance.			
OPTIONS (In Suggested Order of Staff Preference):			
<ol style="list-style-type: none"> 1. Approve ordinance; 2. Do not approve ordinance; or 3. Recommend other staffing alternatives or number of positions, which may require future City Council consideration and action. 			
ATTACHMENTS:			
<ol style="list-style-type: none"> 1. Proposed ordinance that includes an updated number of positions in the Bryan Police Department and the Bryan Fire Department. 			
FUNDING SOURCE: The additional positions in the Bryan Police Department and Bryan Fire Department were approved in the Fiscal Year 2015 General Fund Budget.			
APPROVALS: Hugh R. Walker, 09/26/2014			
APPROVED FOR SUBMITTAL: CITY MANAGER			
APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 10-06-2014			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, REPEALING ORDINANCE NUMBER 2024 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; ADDING SIX FIREFIGHTER POSITIONS IN THE FIRE DEPARTMENT AS APPROVED IN BUDGET; ADDING TWO POLICE OFFICER POSITIONS IN THE BRYAN POLICE DEPARTMENT AS APPROVED IN BUDGET; 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; and

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

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; and

WHEREAS, the City Council approved the Fiscal Year 2015 Budget which included the addition of six (6) firefighter positions; and

WHEREAS, the City Council approved the Fiscal Year 2015 Budget which included the addition of two (2) police officer positions.

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

1.

Ordinance Number 2024 pertaining to classifications and number of positions for the Bryan Fire Department and the Bryan Police Department is hereby repealed.

2.

The classifications and number of 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	69

The classifications and number of positions above reflect the 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	110

The classifications and number of positions above reflect the addition of two (2) police officer positions.

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 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.

5.

That Ordinance Number 2024 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.

6.

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.

7.

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.

8.

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

PRESENTED AND GIVEN first reading the 14th day of October, 2014, at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, **PASSED AND APPROVED** on the 28th day of October, 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