

**ORDINANCE NO. 2023-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AUTHORIZING ASSIGNMENT PAYS FOR PERFORMANCE OF SPECIALIZED FUNCTIONS WITHIN THE FIRE DEPARTMENT AS ASSIGNED BY THE FIRE CHIEF OR DESIGNEE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of New Braunfels adopted Chapter 143 of the Texas Local Government Code for its Police and Fire Departments; and

**WHEREAS**, there are assignments within the Fire Department that certain personnel perform that are not performed by every Fire Department civil service employee; and

**WHEREAS**, Section 143.042(b) of the Texas Local Government Code states that the governing body of a municipality may authorize assignment pay for fire fighters who perform specialized functions in the Fire Department; and

**WHEREAS**, Section 143.042 of the Texas Local Government Code requires that the governing body set forth in an ordinance the amount of assignment pay and the conditions under which it is to be payable to members of the Fire Department that meet the criteria; and

**WHEREAS**, the City Council desires to provide assignment pay for those civil service team members that perform the applicable duties appropriate for the designated, approved assignment pay.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**I.**

That the matters and facts set forth in the preamble are hereby found to be true.

**II.**

- A. A member of the Fire Department who is assigned by the Fire Chief or designee to perform specialized functions in the Fire Department will be eligible to receive Assignment Pay. A member will not automatically be moved into a position or provided Assignment Pay without the Fire Chief's prior approval.
- B. Members will continue to be eligible for Assignment Pay while satisfactorily performing the assigned specialized functions in addition to their regular job duties. Assignment Pay shall not accrue or be payable to an individual once that person is no longer assigned to or otherwise no longer performing the specialized duties; or is absent due to illness or other authorized leave for a period of 90 days or more; or fails to maintain current certifications as required for the job and assignment; or while suspended as the result of disciplinary action.
- C. The Fire Department recognizes the following specialized functions as eligible for approval by the Fire Chief or designee for Assignment Pay:

- 1) Members who work in Support Services as assigned by the Fire Chief or their designee. Assignment Pay for Support Services will be paid each pay period in accordance with the following chart:

FY 23/24 Support Services - Annual Assignment Pay					
	Firefighter	Engineer	Lieutenant	Captain	Battalion Chief
Step 1	\$ 6,299.39	\$8,098.34	\$8,995.23	\$10,296.08	\$11,819.25
Step 2	\$ 6,443.02	\$8,252.21	\$9,310.06	\$10,594.66	\$12,079.27
Step 3	\$ 6,590.56	\$8,409.00	\$9,635.91	\$10,901.91	\$12,345.02
Step 4	\$ 6,741.49	\$8,568.77	\$9,973.17	\$11,218.07	\$12,616.61
Step 5	\$ 6,895.87	\$8,731.58	\$10,322.23	\$11,543.39	\$12,894.17
Step 6	\$ 7,053.78	\$8,897.47	\$10,683.51	\$11,878.15	\$13,177.84
Step 7	\$ 7,215.31	\$9,066.53			
Step 8	\$ 7,380.54	\$9,238.79			
Step 9	\$ 7,549.56	\$9,414.33			
Step 10	\$ 7,722.44	\$9,593.20			
Step 11	\$ 7,899.29				
Step 12	\$ 8,080.18				
Step 13	\$ 8,265.22				
Step 14	\$ 8,454.49				
Step 15	\$ 8,648.10				

- 2) Arson Investigators who perform investigations as part of their regular duties as assigned by the Fire Marshal or their designee. This Assignment Pay shall be paid at a rate of \$69.23 per pay period.
- 3) Members who manage departmental programs (including but not limited to: haz-mat response, wildland, dive team, technical rescue) as assigned by the Fire Chief or their designee. This Assignment Pay shall be paid at a rate of \$69.23 per pay period.

### III.

Assignment Pay as designated and set forth in this ordinance will continue unless otherwise amended as part of the annual adopted budget ordinance, or unless amended by separate ordinance.

### IV.

Assignment Pay of any type may be increased, reduced or eliminated in future fiscal years as deemed necessary or appropriate by the City Council.

### V.

Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

### VI.

Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of New Braunfels in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

**VII.**

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

This Ordinance shall take effect upon the second and final reading of the same.

PASSED AND APPROVED: First reading this 13<sup>th</sup> day of November, 2023.

PASSED AND APPROVED: Second reading this \_\_\_\_ day of November, 2023.

CITY OF NEW BRAUNFELS, TEXAS

\_\_\_\_\_  
Neal Linnartz, Mayor

ATTEST:

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Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

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Valeria M. Acevedo, City Attorney