

**ORDINANCE NO. 2026-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, ESTABLISHING THE CLASSIFICATION OF EMPLOYEES WITHIN THE NEW BRAUNFELS FIRE AND POLICE DEPARTMENTS AND AUTHORIZING THE NUMBER OF EMPLOYEES IN EACH CLASSIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES AND PROVISIONS IN CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of New Braunfels has adopted Civil Service, Chapter 143 of the Texas Local Government Code for its Police and Fire Department employees; and

**WHEREAS**, pursuant to Chapter 143, the City Council shall establish the classifications of employees and prescribe the number of positions in each classification pursuant to Section 143.021(a) of the Texas Local Government Code; and

**WHEREAS**, the City Council adopted Ordinance No. 2025-52 which established the classifications and rank for both the Police Department and Fire Department for FY2025-26 as a part of the annual budget process; and

**WHEREAS**, the City of New Braunfels has adopted Civil Service, Chapter 143 of the Texas Local Government Code for its Fire and Police Department employees and has established a police department to provide the citizens a first-class public safety response; and

**WHEREAS**, the City of New Braunfels is experiencing population growth and, pursuant to Section 143.021(a) of the Texas Local Government Code, the City Council is required to establish employee classifications and prescribe the number of positions in each classification; and

**WHEREAS**, the City Council has determined that retitling the Police Department Captain classification to Deputy Chief is necessary to support executive-level responsibilities and strengthen operational leadership within the Police Department; and

**WHEREAS**, due to the need to provide flexibility in hiring and in recognition of the significant training time required before a new officer can be constructively deployed, the City has not consistently filled all authorized positions, and a fully staffed department is necessary to support specialty law enforcement activities, enhance operational effectiveness, and promote a safer community; and

**WHEREAS**, retirements and natural turnover are expected to create sufficient vacancies to transition temporary over hire officers into full-time authorized positions prior to the conclusion of their training, and such over hire positions are intended to be temporary, with officers either occupying an authorized full-time position within their probationary period or being dismissed based on tenure and placed on a reinstatement list in accordance with Section 143.085 of the Texas Local Government Code; and

**WHEREAS**, in recognition of current and anticipated attrition within the Police Department, this amendment expressly authorizes a limited and temporary over hire of the Police Officer classification, as approved by City Council, to mitigate the operational impact of personnel vacancies and support continuity of service while the department maintains its authorized staffing levels, provided that any over hire of sworn positions shall not exceed ten (10) Police Officer positions, shall be budgeted and temporary in nature, and will be determined by the Chief of Police in accordance with City Council-authorized staffing levels and in coordination with the City of New Braunfels Finance Department and Human Resources Department; and

**WHEREAS**, this Ordinance supersedes all other City ordinances related to authorized police department staffing under Chapter 143 of the Texas Local Government Code.

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

**I.**

The statements made in the preamble are found to be true and correct.

**II.**

The civil service classifications and number of positions in each classification in the Police Department shall be approved as follows:

<b><u>Classification</u></b>	<b><u>Effective</u> <b>10/01/2025</b></b>	<b><u>Effective</u> <b>04/13/2026</b></b>
<b>1. Assistant Police Chief</b>	<b>1</b>	<b>1</b>
<b>2. Deputy Chief<sup>1</sup></b>	<b>3</b>	<b>3</b>
<b>3. Lieutenant</b>	<b>6</b>	<b>6</b>
<b>4. Sergeant</b>	<b>19</b>	<b>19</b>
<b>5. Corporal</b>	<b>21</b>	<b>21</b>
<b>6. Police Officer</b>	<b>121</b>	<b>121</b>
<b>7. Police Officer (Over hire Maximum)</b>	<b>0</b>	<b>10</b>
<b><i>Totals:</i></b>	<b><i>171</i></b>	<b><i>171</i></b>

The classification of Assistant Police Chief is the rank/classification immediately below the Police Chief/Department Head. As such, that position is established by the City Council and will remain a position to which the Department Head may appoint the employee/officer, in accordance with Section 143.014 of the Texas Local Government Code. The Police Chief/Department Head position is not included in the positions listed above.

**III.**

The City Manager is authorized to hire up to the 10 over hires and will carefully monitor the over hire positions to ensure that the budget is maintained and the City Council's staffing levels are kept. Under no circumstances will the number of over hires exceed the total number of authorized positions.

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<sup>1</sup> Pursuant to the Meet and Confer amended agreement dated April 13, 2026, the position/rank immediately below the rank of Assistant Police Chief has been renamed from "Captain" to "Deputy Chief."

**IV.**

This Ordinance does not demonstrate, nor is it any evidence of any intent to form a contract, unilateral or otherwise, with any civil service employee. This Ordinance is enacted to comply with Chapter 143, Texas Local Government Code, specifically Section 143.021, and for no other purpose.

**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 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: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

**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.

**VIII.**

This ordinance shall take effect upon the second and final reading, signatures required by City Charter, and filing with the City Secretary’s Office.

**PASSED AND APPROVED:** First reading this 23<sup>rd</sup> day of March, 2026.

**PASSED AND APPROVED:** Second reading this 13<sup>th</sup> day of April, 2026.

CITY OF NEW BRAUNFELS, TEXAS

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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