

ORDINANCE 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, ESTABLISHING THE CLASSIFICATION OF EMPLOYEES WITHIN THE NEW BRAUNFELS POLICE AND FIRE 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 has approved the number of employees listed below in the appropriate classifications in the Police and Fire Department as a part of the annual budget process;

WHEREAS, this ordinance adds two additional Police Corporal positions in the Police Department, and one Fire Lieutenant position in the Fire Department, effective on the dates specified below.

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

I.

The Civil Service classifications and number of positions in each classification in the Fire Department shall be approved and effective as indicated below:

Classification	Effective Oct. 1, 2017	Effective April 1, 2018
1. Assistant Fire Chief	1	
2. Battalion Chief	5	
3. Captain	5	
4. Lieutenant	21	1
5. Engineer	41	
6. Firefighter	57	

Total positions as of 10/1/17 is 130.

Total positions as of 4/1/18 is 131.

The classification of Assistant Fire Chief is the rank/classification immediately below the Department Head. As such, that position is both established by the City Council and will remain a position to which the Department Head may appoint the occupant, in accordance with §143.014 of the Texas Local Government Code.

II.

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

Classification	Effective Oct. 1, 2017	Effective Jan. 1, 2018
1. Assistant Police Chief	1	
2. Captain	3	
3. Lieutenant	5	
4. Sergeant	11	
5. Corporal	20	2
6. Police Officer	80	

Total positions as of 10/1/17 is 120.

Total positions as of 1/1/18 is 122.

The classification of Assistant Police Chief is the rank/classification immediately below the Department Head. As such, that position is both established by the City Council and will remain a position to which the Department Head may appoint the occupant, in accordance with §143.014 of the Texas Local Government Code.

III.

Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or unenforced, 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 or Mayor Pro Tem 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.

IV.

Inconsistent Provisions: 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.

V.

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.

VI.

This amended Ordinance shall take effect on October 1st, 2017, unless otherwise noted.

PASSED AND APPROVED: First reading this ____ day of September, 2017.

PASSED AND APPROVED: Second reading this ____ day of September, 2017.

CITY OF NEW BRAUNFELS, TEXAS

Barron Casteel, Mayor

ATTEST:

Patrick D. Aten, City Secretary

APPROVED AS TO LEGAL FORM:

Valeria M. Acevedo, City Attorney