

ORDINANCE NO. O-2021-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY AMENDING THE CIVIL SERVICE CLASSIFICATION PLAN AND NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS FOR FISCAL YEAR 2020-2021 BY REDUCING THE NUMBER OF FIRE FIGHTERS BY ONE AND INCREASING THE NUMBER OF FIRE CAPTAINS BY ONE; AND ALSO REDUCING THE NUMBER OF POLICE OFFICER-RECRUITS BY ONE AND INCREASING THE NUMBER OF POLICE LIEUTENANTS BY ONE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 143.021(a) provides that the Civil Service Commission shall provide the classification of all fire fighters and police officers, and that the municipality's governing body shall establish the classifications by ordinance; and

WHEREAS, Chapter 143 of the Texas Local Government Code requires the City Council to approve a Fire and Police Civil Service employee classification plan and authorize the number of Civil Service employees for each position on an annual basis; and

WHEREAS, the number and classification of authorized Civil Service positions can only be changed by City ordinance; and

WHEREAS, it is important to amend the Civil Service Classification Plan to adjust the authorized strength of the Fire Department by reducing the number of Fire fighters by one and increasing the number of Fire Captains by one; and also by reducing the number of Police Officer-Recruits by one and increasing the number of Police Lieutenants by one; and

WHEREAS, on 02/23/21, the Civil Service Commission reviewed this Ordinance and recommended approval to the City Council;

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

PART 1: That Tyler City Code Chapter 3, "Personnel/Civil Service/TMRS", Article III., "Civil Service for Firefighters and Police Officers", Division 2, "Classification Plan", is hereby amended by amending Section 3-43 to read as follows, with no other changes to the Civil Service Classifications:

Sec. 3-43. Classification plan adopted.

The following is adopted as the classification plan for Tyler Civil Service employees.

| Police Department Classification | FY 2017-2018 No. of Positions | FY 2018-2019 No. of Positions | FY 2019-2020 No. of Positions | FY 2020-2021 No. of Positions |
|---|--------------------------------------|---|---|---|
| Assistant Police Chief I,II,III, IV | 3 | 3 | 3 | 3 |
| Police Lieutenant I, II, III, IV | 7 | 7 | 7 | 8 |
| Police Sergeant I, II, III, IV | 27 | 27 | 27 | 27 |
| Police Officer – Recruit I/II/III/IV/V/VI/VII/VIII/IX/X/XI/XII/XIII/XIV | 156 | 158 | 160 | 161 |
| TOTAL | 193 | 195 *Two additional officers added* | 197 *Two additional officers added* | 199 *One Lieutenant added; One Police Officer-Recruit removed |

| Fire Department Classification | FY 2017-2018 No. of Positions | FY 2018-2019 No. of Positions | FY2019-2020No. of Positions | FY 2020–2021 No. of Positions |
|--|--------------------------------------|--------------------------------------|-------------------------------------|---|
| | | | | |
| Assistant Fire Chief I/II/III, IV | 2 | 2 | 2 | 2 |
| Fire Battalion Chief I/II/III/IV | 6 | 7 | 7 | 7 |
| <u>Fire Senior Captain</u> | | | <u>14</u> | 14 |
| Fire Captain – I/II/III/IV | 40 | 39 | 25 | 26 |
| Fire Driver/Engineer - I/II/III/IV | 40 | 40 | 40 | 40 |
| Firefighter - Recruit I/II/III/IV/V/VI/VII/VIII/IX/X/XI/XII/XIII | 66 | 68 | 70 * Two additional firemen added** | 69 |
| TOTAL | 154 | 156 | 158 | 158 *One Fire Captain added; One FF removed |

The number and base salary of positions allocated to each classification shall be as set by the City Council in each new fiscal year budget, and classification ordinance.*

The position of Fire Marshal is a non-civil service position. Nothing herein shall be construed to create the Civil Service position of Fire Marshal. (Ord. O-97-43; 9/4/97) (Ord. No. O-99-21, 3/3/99) (Ord. No. O-99-29, 4/7/99) (Ord. No. O-99-42, 6/16/99) (O-99-68, 9/1/99) (Ord. O-2000-13, 3/15/00) (Ord. O-2000-63, 9/6/00) (Ord. O-2000-80, 10/18/00) (Ord. O-2000-99, 12/20/2000) (Ord. O-2001-10, 3/7/2001) (Ord. O-2001-10, 3/7/2001) (Ord. O-2001-16, 4/25/2001) (Ord. O-2001-42, 9/5/2001) (Ord. O-2001-48, 10/17/01) (Ord. O-2002-5, 2/6/02) (Ord. O-2002-12, 4/3/02) (Ord O-2002-39, 9/11/02)) (Ord O-2003-2, 1/8/03) (Ord. O-2003-21, 5/28/03) (O-2003-56, 11-12-03) (O-2006-10, 1/11/06) (Ord. O-2007-13, 2/14/07) (Ord. O-2007-140, 11/28/07) (O-2008-9, 1/9/08) (Ord. O-2008-46, 4/9/08) (Ord. O-2008-129, 9/24/08) (Ord. O-2008-153, 12/10/08) (Ord. O-2009-106, 10/14/2009) (Ord. O-2010-101, 10/13/10) (Ord. No. O-2011-90, 10/26/11) (Ord. O-2012-27, 3/28/12) (Ord. No. O-2013-98, 10/23/13) (Ord. No. O-2015-34; 3/25/15) (Ord. No. O-2015-103; 11/11/15) (Ord. No. O-2016-92, 09/28/16) (Ord. No. O-2017-107; 11/8/17) (Ord. No. O-2018-35; 4/11/18) (Ord. No. O-2019-15; 2/13/19) (Ord. No. O-2020-34; 3/25/20) (Ord. No. O-2020-69; 9/23/20) (Ord. No. O-2021-18; 02/24/21)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: This ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED this the 24th day of February, A.D., 2021.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK




DEBORAH G. PULLUM,
CITY ATTORNEY