

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADJUSTING THE TOTAL NUMBER OF AUTHORIZED SWORN POSITIONS IN THE POLICE DEPARTMENT BY ADDING TEN POSITIONS IN THE CLASSIFICATION OF POLICE OFFICER, ADDING SIX POSITIONS IN THE CLASSIFICATION OF CORPORAL/DETECTIVE, AND ADDING ONE POSITION IN THE CLASSIFICATION OF SERGEANT, EFFECTIVE OCTOBER 1, 2020; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 143.021(a), Texas Local Government Code provides that a municipality’s governing body shall by ordinance (i) establish the classifications of police officers and (ii) prescribe the number of positions in each classification; and

**WHEREAS**, on September 24, 2019, the City Council adopted Ordinance 23872-09-2019, which established the Police Department’s sworn personnel staffing levels, effective October 1, 2019, as follows:

Assistant Chief	3
Deputy Chief	5
Commander	6
Captain	17
Lieutenant	50
Sergeant	196
Corporal/Detective	242
Police Officer	<u>1,193</u>
<b>Total</b>	<b>1,712; and</b>

**WHEREAS**, the recently approved Meet and Confer Labor Agreement (CFW Contract Number 54366) calls for the creation of one additional position to accommodate the President of the Fort Worth Police Officers Association (POA), allowing the individual in that position to conduct union business using donated leave hours while simultaneously ensuring that the department retains a full complement of authorized positions to conduct police business; and

**WHEREAS**, the current POA President serves in the rank of sergeant and an additional position in that classification must be created, with the understanding that such position is intended, through subsequent ordinances, to be eliminated and replaced with another position in the appropriate classification as the current President changes ranks or when another individual, serving in a different rank, assumes such role; and

**WHEREAS**, the Police Chief has requested that the City Council increase the number of authorized positions within the existing classification of Police Officer by ten (10) and within the existing classification of Corporal/Detective by six (6), effective October 1, 2020, to reflect the Civil Service staffing included in the Fiscal Year 2021 Budget to provide thirteen positions (seven police officers and six corporals/detectives) associated with the COPS hiring grant and to provide three additional School Resource Officers for Crowley ISD and Eagle Mountain Saginaw ISD, and thereafter prescribe the number of authorized positions in the Police Department to conform with the proposed changes as set forth below in order to effect efficient economy of the operations of the Police Department.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

That, following the formal adoption of this ordinance, the following positions shall be the only sworn positions in each classification (rank) authorized in the City of Fort Worth Police Department effective October 1, 2020, until modified by subsequent ordinance:

Assistant Chief	3
Deputy Chief	5
Commander	6
Captain	17
Lieutenant	50
Sergeant	197
Corporal/Detective	248

Police Officer	<u>1,203</u>
<b>Total</b>	<b>1,729</b>

**SECTION 2.**

That the “Mayor and Council Communication” memorandum, which is presented contemporaneously with this ordinance, is hereby expressly incorporated herein by reference for further clarification and explanation of the purpose and intent of the City Council in its adoption of this ordinance as well as the Department in its implementation.

**SECTION 3.**

That this ordinance shall be cumulative of all provisions of previous ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of prior police staffing ordinances for the Police Department and such Code, in which event conflicting provisions of such ordinances and such code provisions are hereby repealed and this ordinance shall be controlling.

**SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of these ordinances are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.**

That this ordinance shall be effective October 1, 2020, with respect to the addition of seventeen (17) positions included in the adopted budget as reflected above, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:      ATTEST:

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Denis McElroy, Asst. City Attorney

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Mary J. Kayser, City Secretary

ADOPTED: \_\_\_\_\_

EFFECTIVE: October 1, 2020