

A Resolution

NO. _____

AUTHORIZING THE CITY ATTORNEY TO APPEAL THE HEARING EXAMINER'S RULING IN CSC-22-2019 AND RATIFYING THE LAWSUIT ENTITLED *CITY OF FORT WORTH V. BILLY RANDOLPH*, CAUSE NO. 348-326524-21, 348TH DISTRICT COURT, TARRANT COUNTY, TEXAS

WHEREAS, on December 2, 2019, the Fort Worth Police Department suspended Sgt. Billy Randolph for one day for violations of City of Fort Worth Firefighters' and Police Officers' Local Civil Service Rules and Regulations and the Fort Worth Police Department's General Orders and Standard Operating Procedures; and

WHEREAS, on July 3, 2021, following the appeal of his one-day suspension to an independent hearing examiner, Sgt. Randolph's one-day suspension issued by the Department was reduced to a written reprimand by the hearing examiner; and

WHEREAS, the hearing examiner's decision exceeded the jurisdiction granted a Chapter 143 hearing examiner under the Texas Local Government Code; and

WHEREAS, the deadline to appeal the decision was ten days from the date the hearing examiner issued the decision; and

WHEREAS, the City Council finds that it is in the City of Fort Worth's best interest to appeal the hearing examiner's decision;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

The City Attorney is authorized to appeal the hearing examiner's ruling in CSC-22-2019, associated court costs are similarly authorized, and the filing of the lawsuit styled *City of Fort Worth v. Billy Randolph*, cause no. 348-326524-21, in Tarrant County, Texas, is hereby ratified.

Adopted this _____ day of _____ 2021.

ATTEST:

By: _____

Ronald P. Gonzales, Acting City Secretary