

ORDINANCE NO. _____

AN ORDINANCE ADJUSTING THE TOTAL NUMBER OF AUTHORIZED SWORN POSITIONS IN THE POLICE DEPARTMENT BY DELETING ONE (1) POSITION IN THE CLASSIFICATION OF SERGEANT AND ADDING ONE (1) POSITION IN THE CLASSIFICATION OF POLICE OFFICER, EFFECTIVE OCTOBER 1, 2023; 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;

WHEREAS, on September 19, 2023, the City Council adopted Ordinance _____-09-2023, which established the Police Department’s sworn personnel staffing levels, effective October 1, 2023, as follows:

Assistant Chief	3
Deputy Chief	6
Commander	6
Captain	17
Lieutenant	50
Sergeant	213
Corporal/Detective	262
Police Officer	1318
Total	1875

; and

WHEREAS, per the terms of the current Meet and Confer Labor Agreement with the Fort Worth Police Officer Association (POA) (FW CSC 54366), there is meant to be one additional position in the classification in which the current POA president serves in order to allow the POA president to conduct union business using donated leave hours without reducing the full complement of authorized positions available to conduct police business; and

WHEREAS, the immediate past prior POA president, who separated from the City effective February 11, 2023, served in the rank of sergeant; and

WHEREAS, the current POA president serves in the rank of police officer; and

WHEREAS, Ordinance _____ does not take into account the difference in rank of the prior and current POA presidents; and

WHEREAS, the Police Chief has requested that the City Council adjust staffing in the Police Department by decreasing the number of positions in the classification of Sergeant by one (1) and increasing the number of authorized positions in the classification of Police Officer by one (1) in order to effectuate the intent of the Meet and Confer Agreement and to reflect the classification in which the current POA president serves and that the City Council 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:

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, 2023, until modified by subsequent ordinance:

Assistant Chief	3
Deputy Chief	6
Commander	6
Captain	17
Lieutenant	50
Sergeant	212
Corporal/Detective	262
Police Officer	1319
Total	1875

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.

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.

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.

5. That this ordinance shall be effective October 1, 2023, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY: ATTEST:

Denis C. McElroy, Assistant City Attorney

Jannette S. Goodall, City Secretary

ADOPTED: September 26, 2023

EFFECTIVE: October 1, 2023