

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 2, “ADMINISTRATION,” AND 11.5 “EMERGENCY MANAGEMENT,” OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED, TO REVISE CHAPTER 2, ARTICLE IV “DEPARTMENTS UNDER CONTROL OF CITY MANAGER” TO ADD RESERVED SECTIONS TO DIVISION 22, “DEPARTMENT OF OFFICE OF MEDICAL DIRECTOR,” TO ADD DIVISION 23, “DEPARTMENT OF EMERGENCY MANAGEMENT AND COMMUNICATIONS,” AND TO AMEND CHAPTER 11.5, SECTION 11.5-5, “OFFICE” TO REFLECT THE MOVING OF THE OFFICE OF EMERGENCY MANAGEMENT TO BE A DIVISION OF THE DEPARTMENT OF EMERGENCY MANAGEMENT AND COMMUNICATIONS AND TO MAKE TECHNICAL CONFORMING CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter VIII, Section 1 of the City Charter authorizes the City Council, with input from the City Manager, to establish by ordinance such departments, divisions, and offices as it deems necessary for the operation of the City’s business in addition to those departments required by the City Charter;

WHEREAS, Chapter VIII, Section 1 of the City Charter authorizes the City Council, with input from the City Manager, to discontinue any department or office established by ordinance and to prescribe, combine, consolidate, distribute, or abolish the functions and duties of departments, divisions, or offices;

WHEREAS, the City, in its ongoing efforts to serve the interests of the public health and welfare of the people of its jurisdiction, believes it is in the public’s best interest to consolidate certain emergency management and communications structures within a single department;

WHEREAS, consistent with Texas Government Code Section 418.1015, the Mayor of the City of Fort Worth has served and will continue to serve as the emergency management director and the governor’s designated agent in the administration and supervision of the duties required of emergency management directors under state law;

WHEREAS, the City believes it is in the best interest of the public health and welfare to have a consolidated Emergency Management and Communications department;

WHEREAS, the City Council wishes to amend Chapter 2, ‘Administration,’ of the City Code to establish a new department, Department of Emergency Management and Communications, under the control of the City Manager; and

WHEREAS, the City Council wishes to move the Office of Emergency Management from the Fort Worth Fire Department to the newly created Department of Emergency Management and Communications.

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

SECTION 1.

Article IV, Chapter 2 of the City Code of the City of Fort Worth (2015), as amended, shall be revised so that Sections 2-177.3 “Reserved” and 2-177.4 “Reserved” shall be added to Division 22, “Department of Office of Medical Director.”

SECTION 2.

Article IV, Chapter 2 of the Code of the City of Fort Worth (2015), as amended, is hereby amended to add Division 23 to establish and define the duties for a new “Department of Emergency Management and Communications” with such division to read as follows:

DIVISION 23: DEPARTMENT OF EMERGENCY MANAGEMENT AND COMMUNICATIONS

Section 2-177.5 CREATION AND ESTABLISHMENT

The Department of Emergency Management and Communications is hereby established. The department shall be under the supervision of a director, who shall be subject to appointment and removal by the City Manager. The salary of the director shall be in accordance with the compensation plan of the city.

Section 2-177.6 APPOINTMENT OF EMPLOYEES

In accordance with established personnel procedures and as provided by the city budget, the director shall have the power to appoint, employ and remove such assistants, employees and other personnel as the director deems necessary for the efficient administration of the affairs of the department. The director shall prescribe the duties of and compensation to such assistants, employees and other personnel in accordance with the city’s compensation plan.

Section 2-177.7 DUTIES

The director will report to the City Manager and will carry out their duties under the direction of the City Manager and in support of the Mayor as the emergency management director, consistent with Texas Government Code Section 418.1015. The director and his or her employees shall be responsible for directing the activities of the Department of Emergency Management and Communications, including comprehensive emergency management (mitigation, preparedness, response, and recovery), public safety communications (excluding fire communications unless otherwise authorized by law), and operational coordination during emergency incidents. The director shall also be

responsible for ensuring compliance with all applicable federal, state, and local laws, regulations, codes, and standards and shall coordinate with the Fort Worth Chief of Police and Fort Worth Fire Chief to ensure a unified response structure is maintained.

Section 2-177.8 EMERGENCY COMMUNICATIONS

Emergency Communications is hereby created as a division of the Department of Emergency Management and Communications. The division shall be overseen by an administrator under the supervision and direction of the director and is charged with carrying out the responsibilities outlined herein.

The administrator's duties shall include oversight of the City's Emergency Communications and 911 center, including all non-fire call takers, in compliance with applicable state and local law. To the extent Fort Worth EMS call takers are designated as firefighters under Texas law or local agreement, they shall remain under the authority of the Fort Worth Fire Chief, but operational coordination, facilities oversight, and system-wide communications protocols shall remain the responsibility of this Department.

Section 2-177.9 OFFICE OF EMERGENCY MANAGEMENT

The Office of Emergency Management, as described by Section 11.5-5 of Chapter 11.5 of the Code, shall be a division within the Department of Emergency Management and Communications and report to the director.

Section 2-177.10 EMERGENCY OPERATIONS AUTHORITY

The Department of Emergency Management and Communications is in operational control of the Emergency Operations Center (EOC), and, upon a local emergency declaration, the director shall serve as the City's lead coordinating official for all emergency response and recovery activities in support of the Mayor as the City's emergency management director consistent with Texas Government Code Section 418.1015. All communications to the public and external partners from public safety agencies shall be coordinated through the EOC and Joint Information Center (JIC), under the oversight of this Department.

The director shall ensure that all City personnel, including but not limited to Police, Fire, and Emergency Medical Services, integrate their response efforts through the EOC structure and in alignment with the City's adopted emergency management plans and protocols.

Section 2-177.11 INTERDEPARTMENTAL AND EXTERNAL COORDINATION

The Department shall serve as the City's primary point of coordination for all emergency preparedness, response, and recovery efforts involving external partners, including but not limited to County governments, the North Central Texas Council of Governments (NCTCOG), the State of Texas, and neighboring units of local government.

The Department shall be responsible for maintaining and executing mutual aid agreements and interagency coordination frameworks to support public safety and continuity of operations during emergencies.

Section 2-177.12-.14 “Reserved.”

SECTION 3.

Section 11.5-5 of Chapter 11.5 of the Code of the City of Fort Worth (2015), as amended, is hereby revised to reflect the moving of the Office of Emergency Management to the newly created Department of Emergency Management and Communications with such section to read as follows:

There is hereby created an office of emergency management as a division of the ~~fire department~~ Department of Emergency Management and Communications, which shall have a coordinator under the supervision and direction of the ~~chief of the fire department~~ director of the Emergency Management and Communications Department to carry out the responsibilities of the office.

SECTION 4.

This ordinance shall be cumulative of all provisions of 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 such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance 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 6.

This ordinance shall be in full force and effect following its adoption.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Taylor C. Paris,
Senior Assistant City Attorney

Jannette S. Goodall,
City Secretary

ADOPTED: _____

EFFECTIVE: _____