

ORDINANCE NO. 25734-09-2022

AN ORDINANCE INCREASING THE TOTAL NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS IN THE FIRE DEPARTMENT BY SIX EFFECTIVE OCTOBER 1, 2022 BY ADDING ONE POSITION IN THE CLASSIFICATION OF CAPTAIN, TWO POSITIONS IN THE CLASSIFICATION OF LIEUTENANT, AND THREE POSITIONS IN THE CLASSIFICATION OF ENGINEER; 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 fire fighters and (ii) prescribe the number of positions in each classification; and

WHEREAS, on September 13, 2022, the City Council adopted Ordinance 25733-09-2022, which established the Fire Department's sworn personnel staffing levels effective August 27, 2022, as follows:

Assistant Chief	3
Deputy Chief	6
Battalion Chief	27
Captain	89
Lieutenant	130
Engineer	214
Firefighter	<u>505</u>
TOTAL	974; and

WHEREAS, the Fire Chief has requested that the City Council increase the total number of authorized positions in the Fire Department by six (6), effective October 1, 2022, consisting of one (1) additional position in the existing classification of Captain, two (2) additional positions in the existing classification of Lieutenant, and three (3) additional positions in the existing classification of Engineer, to reflect the Civil Service staffing included in the Fiscal Year 2023 Budget, and thereafter prescribe the number of authorized positions in the Fire Department to conform with the proposed changes as set forth below in order to effect efficient economy of the operations of the Fire Department.

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

SECTION 1.

Following the formal adoption of this ordinance, the following positions shall be the only civil service positions in each classification (rank) authorized in the City of Fort Worth Fire Department effective October 1, 2022 until modified by subsequent ordinance:

Assistant Chiefs	3
Deputy Chiefs	6
Battalion Chiefs	27
Captain	90
Lieutenant	132
Engineer	217
Firefighter	<u>505</u>
TOTAL	980

SECTION 2.

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.

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 fire staffing ordinances for the Fire 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.

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.

The classifications and numbers prescribed by this ordinance shall take effect and be in full force and effect as of October 1, 2022, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

ATTEST:



Denis C. McElroy, Sr. Asst. City Attorney



Jannette S. Goodall (Oct 6, 2022 14:50 CDT)

Jannette S. Goodall, City Secretary

ADOPTED: September 27, 2022

EFFECTIVE: October 1, 2022



Mayor and Council Communication

DATE: 09/27/22

M&C FILE NUMBER: M&C 22-0725

LOG NAME: 03FIRE FY2023 STAFFING ORDINANCE

SUBJECT

(ALL) Adopt Ordinance Amending Fire Department Staffing Effective October 1, 2022, to Increase the Number of Authorized Civil Service Positions in the Specified Classifications by a Total of Six and Adopt Ordinance Prescribing Salaries for the Fire Department

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached ordinance to reflect Civil Service staffing in the Fire Department effective October 1, 2022; and
2. Adopt the attached ordinance prescribing the salaries for all civil service personnel in the Fire Department effective October 1, 2022.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) and the attached ordinances is to take actions associated with the recently adopted Fiscal Year (FY) 2023 Budget for the Fire Department.

Adoption of the first ordinance will revise Civil Service staffing in the Fire Department to reflect staffing changes included in the adopted FY2023 budget. Approval of this M&C will make a net increase of six new positions.

On September 13, 2022, the City Council adopted Ordinance 25733-09-2022 to temporarily increase the number of authorized positions by eleven (11) Firefighter positions needed to accommodate all of the graduating members of Fire Recruit Class 91, who graduated on August 26, 2022 and became Firefighters as of August 27, 2022. The adopted FY2023 budget included funding for ten (10) additional Firefighter positions on an ongoing basis; so ten of the eleven added positions will be retained and converted from temporarily authorized, or "overage", positions into ones that are part of the department's budgeted, ongoing authorized strength.

After Firefighter vacancies are realized, a revised staffing ordinance will be presented to restore the intended authorized strength as noted on the table below and eliminate the one (1) overage position that will remain.

The chart below reflects authorized strength levels from the adoption of the FY22 staffing ordinance (Ordinance 25130-09-2021) through the changes included in today's action.

Classification	Authorized Strength per Ordinance 2xxx-09-2022	Temporary Authorized Position(s)	Change in Today's Ordinance	Revised Authorized Strength Following Adoption	Remaining Temporary Authorized Position(s)	Intended Future Authorized Strength
Assistant Chief	3			3		3
Deputy Chief	6			6		6
Battalion Chief	27			27		27
Captain	89		1	90		90
Lieutenant	130		2	132		132
Engineer	214		3	217		217
Firefighter	505	11	"convert" 10	505	1	504

TOTAL	974	11	Net 6 new	980	1	979
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The four-year term of the Collective Bargaining Agreement (CBA) between the City of Fort Worth and the Fort Worth Professional Firefighters Association, IAFF Local 440 (CSC No. 52862), expires on September 30, 2022, and the "evergreen" period of up to one-year will commence on October 1, 2022. During the evergreen period, the pay structure from the fourth year of the contract remains in effect.

The attached salary ordinance readopts the same pay structure for FY2023 as was in place for FY2022. This ordinance and salary structure will remain in effect until a new CBA is signed or the evergreen period ends, whichever comes first. If a new CBA gets signed, staff will present a revised salary ordinance for City Council consideration.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations, funds will be available in the Fiscal Year 2023 operating budget, as appropriated, in the General Fund. Prior to an expenditure being incurred, the Fire Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Reginald Zeno 8517

Originating Business Unit Head: Richard Zavala 5711

Additional Information Contact: