

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Update the Residency Requirements for Fire and Police Officers

ORIGINATING DEPARTMENT

Fire/Police

BACKGROUND INFORMATION

The City of Killeen has had various policies regarding residency of public safety employees (both Fire Fighters and Police Officers) since 1978, including a residency requirement that they reside inside the City limits in 1978 to no residency requirement at all from 1979 until 1994.

On August 28, 1989, the 71st Legislature of the State of Texas enacted Texas Local Government code 150.021, as follows:

TLGC 150.021 RESIDENCY REQUIREMENTS FOR MUNICIPAL EMPLOYEES

The governing body of a municipality may prescribe reasonable standards with respect to the time within which municipal employees who reside outside the municipal limits must respond to a civil emergency. The standards may not be imposed retroactively on any person in the employ of the municipality at the time the standards are adopted.

On October 10, 1994, at the request of the Fire and Police Chiefs, the Killeen City Council adopted resolution 94-109R authorizing the City Manager to establish a new policy to require new public safety employees to live within 30 minutes from Killeen's City Hall. (Prior to the adoption of the new policy, public safety personnel had no residency requirement established by city policy.)

On March 13, 1996, the City Council adopted resolution 96-22R authorizing the City Manager to change the residency requirement for public safety employees as requested by Fire and Police Chiefs. This change moved the location to measure the 30 minutes from Killeen's City Hall to the Killeen city limits, due to the growth of the city and travel distance from City Hall. The rationale for the requirement was that the City depended heavily on off-duty personnel who respond to emergencies.

Both the Fire and Police Departments were one-third the size they are today and members of the Fire Department were called in from off duty on a regular basis to assist in any structure fire or other emergency. Today, due to the population increase of the city of Killeen, the manning of the Fire and Police Departments has been increased to a point where off-duty public safety employees are less likely to be required to respond except in extreme catastrophic events.

DISCUSSION/CONCLUSION

Since enactment of the residency requirement, the City of Killeen has hired and required public safety employees to comply with this rule. The applicant pool for both Fire Fighters and Police Officers draws on an increasingly large geographic area and is being negatively impacted by the residency requirement. Highly qualified Fire Fighters have chosen to either not accept an offer

of employment or have resigned as a result of this rule. Additionally, traffic congestion throughout the Central Texas area has decreased the distance that can be traveled within this 30-minute time requirement, further shrinking the applicant pool of Fire Fighters and Police Officers.

The Fire Department surveyed the Fort Hood Fire Department, the municipalities of Austin, Belton, Cedar Park, Copperas Cove, Georgetown, Harker Heights, Lampasas, Round Rock, Temple, and Waco to determine their residency requirements. Austin, Belton, Cedar Park, Fort Hood, Georgetown, Harker Heights, and Waco do not have any residency requirements. Only the municipalities of Copperas Cove and Killeen have a 30-minute residency requirement, while Temple has a 45-minute residency requirement. The lack of restriction allows these organizations to draw from a more generous resource of qualified applicants.

Currently, both Fire and Police Departments routinely handle emergencies effectively utilizing on-duty personnel. There is rarely a need to conduct a department-wide recall of personnel. Removing this requirement will enable current and future public safety employees to choose the location of their residence, making the City more attractive to a larger number of the most qualified applicants in this extremely competitive recruiting market.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends that City Council authorize the City Manager to revise the current residency requirement for public safety employees, redefining it to become 45 minutes from the ETJ (extraterritorial jurisdiction) and updating the related City of Killeen Handbook policies.