

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, MERGING CLASSIFICATIONS IN THE FIRE DEPARTMENT OF THE CITY OF KILLEEN; ABOLISHING ALL CLASSIFICATIONS IN CONFLICT HEREWITH AND HERETOFORE EXISTING IN SUCH DEPARTMENT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; TO COMPLY WITH THE PROVISIONS OF TEXAS LOCAL GOVERNMENT CODE §143.021; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Killeen Fire Department, pursuant to an election of the voters in 1977, operates under the civil service laws provided in Texas Local Government Code chapter 143; and

WHEREAS, since 1994 the Killeen Fire Department has operated with a dual career ladder system;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:

SECTION I. That the City Council authorizes the following civil service classifications of employees in the Fire Department of the City of Killeen shall be amended for the purpose of covering such employees under the provisions of Texas Local Government Code 143.021(a) as required by that statute. That all ordinances or parts of ordinances creating, changing, or increasing positions, classes and classifications in the Fire Department of the City of Killeen be, and the same are hereby, merged and consolidated in this ordinance so that all positions, classes, and classifications in conflict herewith or not included herein, are hereby expressly abolished and the following positions, classes, and classifications are hereby created in said department, so that hereafter the following, and none other, shall exist therein.

These classifications and no others shall exist with the number shown indicating the number of positions in each classification:

| <u>CLASSIFICATION</u> | <u>NUMBER IN EACH CLASSIFICATION</u> | |
|-------------------------|--------------------------------------|--------------------|
| | <u>FY 16-17 (Current)</u> | |
| | <u>(Base Authorization)</u> | <u>(Over hire)</u> |
| Fire & Rescue Officer | 190 | 7 |
| Fire Prevention Officer | 3 | 0 |
| Fire Captain | 26 | 0 |
| Fire Battalion Chief | 6 | 0 |
| Deputy Chief of Fire | 4 | 0 |
| Fire Marshal | 1 | 0 |

| <u>CLASSIFICATION</u> | <u>NUMBER IN EACH CLASSIFICATION</u> | |
|-----------------------|--|--------------------|
| | <u>FY 16-17 (amended October 2016)</u> | |
| | <u>(Base Authorization)</u> | <u>(Over hire)</u> |
| Fire & Rescue Officer | 190 | 7 |
| Fire Captain | 29 | 0 |
| Fire Battalion Chief | 6 | 0 |
| Deputy Chief of Fire | 5 | 0 |

SECTION II. That the City Council authorizes the amendment of the fire pay plan to reflect the changes in the civil service classifications herein under the provisions of Texas Local Government Code 143.041 as required by that statute.

SECTION III. That the City Council hereby provides, with respect to the Fire Marshal position merged into the Deputy Chief position herein above, that such designation is intended to operate merely as a change in title in the “Fire Marshal” position heretofore existing, and shall not affect the status, classification, salary or tenure of the person holding such position, and the person heretofore holding the classification “Fire Marshal” shall hereafter be classified as “Deputy Chief.”

SECTION IV. That the City Council hereby provides, with respect to the three Fire Prevention Officer positions merged into the Captain positions herein above, that such

designation is intended to operate merely as a change in title in the “Fire Prevention Officer” position heretofore existing, and shall not affect the status, classification, salary or tenure of the persons holding such position, and the persons heretofore holding the classification “Fire Prevention Officer” shall hereafter be classified as “Captain.”

SECTION V. That the City Council hereby provides, that such designation is intended merely as a change in title in classification, that time served in the rank of Fire Marshal, shall be credited as time served in the Deputy Chief rank and that time served in the rank of Fire Prevention Officer shall be credited as time served in the Captain rank for the purpose of seniority in rank and promotional testing. Hereafter all competitive Civil Service promotional examinations given to establish a list of eligible candidates for Deputy Chief or Captain shall use the study materials approved by the Civil Service Commission for use by applicants taking a promotional examination for a Deputy Chief or Captain position.

SECTION VI. Hereafter the job description of Deputy Chief shall be changed to include the additional job duties of the Fire Marshal in the special requirements section of the Deputy Chief Job Description, as a requirement for the Deputy Chief assigned to the Fire Marshal’s Office.

SECTION VII. Hereafter the job description of Captain shall be changed to include the additional job duties of the Fire Prevention Officer in the special requirements section of the Captain Job Description, as a requirement for the Captains assigned to the Fire Marshal’s Office.

SECTION VIII. That this action does not create any new classifications, nor does it create any new positions in any existing classification. The intent of merging the positions above is to transfer one classification into another within the same grade level and such action is not intended to constitute a promotion or demotion of any person.

SECTION IX. That all other ordinances or parts of ordinances that are in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

SECTION X. That should any part of this ordinance be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

SECTION XI. That this ordinance shall be effective immediately after its passage and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas this 25th day of October , 2016, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY