



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** O-2

**Date:** April 11, 2007

**Subject:** Request that the City Council consider adopting an ordinance amending City Code Chapter 3 relating to the number of classified Fire Civil Service positions for Fiscal Year 2006-2007.

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**Item Reference:** According to the terms of the State Civil Service Law (Section 143.021, Local Government Code) and City Code Section 3-43, the City Council must authorize the number of civil service positions within each classification.

The City Council approved nine (9) additional firefighter positions for the Tyler Fire department with the Fiscal Year 2006-2007 Annual Budget. These positions were requested in connection with the establishment of the new fire station, Station 10, which is slated to open during next fiscal year. The Fire Department planned to hire an additional three (3) firefighters in October of Fiscal Year 2007-2008, however because of hiring delays this year, additional funds are available in the Supplemental Budget which can be used to hire all twelve (12) firefighters in August 2007. This will allow all twelve (12) firefighters to begin school together in September, thus reducing overtime costs.

Funding: #101-0320-422-0101-Permanent Full-Time Positions account.

**Recommendation:**

It is recommended that the City Council adopt the attached ordinance prescribing the number of classified Fire Civil Service positions for Fiscal Year 2006-2007 and amending the classified plan for Fire Civil Service positions for Fiscal Year 2006-2007.

**Drafted/Recommended  
Department Leader**

**Neal Franklin, Fire Chief**

**By:**

**Edited/Submitted By:  
City Manager**

**ORDINANCE NO. O-2007-36**

**AN ORDINANCE OF THE CITY OF TYLER, TEXAS, AMENDING THE NUMBER OF CLASSIFIED FIRE DEPARTMENT CIVIL SERVICE POSITIONS FOR FISCAL YEAR 2006-2007, AND AMENDING CITY CODE CHAPTER 3, "PERSONNEL/CIVIL SERVICE/TMRS", SECTION 3-43, "CLASSIFICATION PLAN ADOPTED", BY INCREASING THE NUMBER OF POSITIONS IN THE FIREFIGHTER CLASSIFICATION.**

**WHEREAS**, Chapter 143 of the Texas Local Government Code requires the City Council to prescribe the number of positions for each classification; and

**WHEREAS**, the number of positions can only be changed by City ordinance; and

**WHEREAS**, the City Code in Section 3-43 sets out the Civil Service Classification Plan subject to the prescribed number of employees in each fiscal year's annual budget;

**WHEREAS**, the Fire Department has requested the hiring of three additional firefighters in fiscal year 2006-2007 to meet the demands of opening a new Fire Station;

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

**PART 1:** That pursuant to state law (Local Government Code Section 143.021) and City Code Section 3-43, the number of employees in Fire Civil Service positions for fiscal year 2006-2007 shall be as follows:

**Sec. 3-43. Classification plan adopted.**

The following is adopted as the classification plan for Tyler Civil Service employees.

<b>Police Department Classification</b>	<b>FY 2005-2006 No. of Positions</b>	<b>FY 2006-2007 No. of Positions</b>
Assistant Police Chief	2	2
Police Deputy Chief	1	1
Police Lieutenant	5	5
Police Sergeant	26	26
Police Officer I/II/III/IV/V/VI/VII/VIII/IX/X	Recruit-VIII/IX/X 147 <i>(effective 4-1-06)</i>	147
<b>TOTAL</b>	181	181
<b>Fire Department Classification</b>	<b>FY 2005-2006 No. of Positions</b>	<b>FY 2006-2007 No. of Positions</b>
Assistant Fire Chief	1	1
District Chief	4	4
Training Chief	1	1
Senior Fire Captain	6	6
Fire Captain	22	25
Fire Mechanic	1	1
Fire Driver/Engineer	30	33

Fire Inspector/Investigator	6	6
Firefighter I/II/III/IV	60	<u>+3</u> <del>63</del> <u>66</u>
<b>TOTAL</b>	131	<del>140</del> <u>143</u>

The number and base salary of positions allocated to each classification shall be as set by the City Council in each new fiscal year budget, and classification ordinance.\*

The position of Fire Marshal is a non-civil service position. Nothing herein shall be construed to create the Civil Service position of Fire Marshal. (Ord. 0-97-43; 9/4/97) (Ord. No. 0-99-21, 3/3/99)(Ord. No. 0-99-29, 4/7/99) (Ord. No. 0-99-42, 6/16/99) (0-99-68, 9/1/99) (Ord. 0-2000-13, 3/15/00) (Ord. 0-2000-63, 9/6/00) (Ord. 0-2000-80, 10/18/00) (Ord. 0-2000-99, 12/20/2000) (Ord. 0-2001-10, 3/7/2001) (Ord. 0-2001-10, 3/7/2001) (Ord. 0-2001-16, 4/25/2001) (Ord. 0-2001-42, 9/5/2001) (Ord. 0-2001-48, 10/17/01) (Ord. 0-2002-5, 2/6/02) (Ord. 0-2002-12, 4/3/02) (Ord 0-2002-39, 9/11/02))Ord 0-2003-2, 1/8/03) (Ord. 0-2003-21, 5/28/03) (0-2003-56, 11-12-03) (0-2006-10. 1/11/06) (Ord. 0-2007-13, 2/14/07) (Ord. 0-2007-36, 4/11/07)

**PART 2:** That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 3:** That this ordinance shall take effect immediately upon its adoption.

**PASSED AND APPROVED** this 11<sup>th</sup> day of April, A. D., 2007.

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JOSEPH O. SEEBER, MAYOR  
OF THE CITY OF TYLER, TEXAS

**ATTEST:**

**APPROVED:**

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY