



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** O-2

**Date:** January 9, 2008

**Subject:** Request that the City Council consider adopting an Ordinance amending City Code Chapter 3 relating to the classified Fire Civil Service positions for Fiscal Year 2007-2008.

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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 Tyler Fire Department's reorganization plan was approved with the Fiscal Year 2007-2008 Annual Budget. The plan does not change the total number of firefighters, but does make the following adjustments:

- Promote 2 additional District Chiefs - move from 4 to 6
- Abolish the position of Senior Captain and its 6 positions - move from 6 to 0 (2 of these positions will promote to District Chief and 4 will become Captain II)
- Add a Step increase in Captain position - Captain move from 25 to 32
- Reduce the number of Firefighters from 66 to a total of 63

Two additional changes need to be made to the Fire Classification Plan. The first will add in the references to steps in various ranks which already in exist, but were previously left out of the Classified Plan (see Ordinance). The second correction adjusts the number of authorized positions throughout the department. In April, 2007, 3 additional firefighter positions were authorized and those positions were filled by appointment last fiscal year, which raised the number of firefighters from 63 to 66 and total personnel from 140 to 143. However when the City Council recently adopted the Fire and Police Classified Plans for Fiscal Year 2007-2008, the Ordinance Chart incorrectly showed those authorized positions as the pre-April, 2007 numbers of 63 and 140. The attached Ordinance corrects the numbers to reflect what was approved in April, 2007 and what was carried forward in the current fiscal year budget.

**Recommendation:**

It is recommended that the City Council adopt the attached Ordinance amending the Classified Plan for Fire Civil Service positions for Fiscal Year 2007-2008.

**Drafted/Recommended By:**  
**Department Leader**

  
**Neal Franklin, Fire Chief**

**Edited/Submitted By:**  
**City Manager**

**ORDINANCE NO. O-2008-9**

**AN ORDINANCE OF THE CITY OF TYLER, TEXAS, AMENDING THE NUMBER OF CLASSIFIED FIRE DEPARTMENT CIVIL SERVICE POSITIONS FOR FISCAL YEAR 2007-2008, AND AMENDING CITY CODE CHAPTER 3, "PERSONNEL/CIVIL SERVICE/TMRS", SECTION 3-43, "CLASSIFICATION PLAN ADOPTED", BY INCREASING THE NUMBER OF POSTIONS 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 is ready to move forward with the next phase of its multi-year reorganization plan and also there is a need to correct two errors that were incorrectly placed in the most recent ordinance adopting the Classified Plan;

**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 2007-2008 shall be as follows:

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

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

<b>Fire Department Classification</b>	<b>FY 2006-2007 No. of Positions</b>	<b>FY 2007-2008 No. of Positions</b>
Assistant Fire Chief	1	1
District Chief	4	<u>+2 = 6</u> 4
Training Chief	1	1
Senior Fire Captain	6	<u>- 6 = 0</u> 6
Fire Captain – I/II	25	<u>+ 7 = 32</u> 25
Fire Mechanic	1	1
Fire Driver/Engineer – I/II	33	33
Fire Inspector/Investigator – I/II	6	6
Firefighter - Recruit I/II/III/IV/V/VI/VII	66	<u>-3 = 63</u> -66
<b>TOTAL</b>	143	143

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)( Ord. O-2007-140, 11/28/07) (Ord. 0-2008-9, 1/9/08)

**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 9<sup>th</sup> day of January , A. D., 2008.

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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