**ORDINANCE NO.**

**AN ORDINANCE ADJUSTING THE TOTAL NUMBER OF AUTHORIZED SWORN POSTIONS IN THE POLICE DEPARTMENT BY ELIMINATING FORTY-TWO POSITIONS IN THE CLASSIFICATION OF POLICE OFFICER; 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 police officers and (ii) prescribe the number of positions in each classification; and

**WHEREAS**, on June 26, 2018, the City Council adopted Ordinance 23290-06-2018, which established the Police Department’s sworn personnel staffing levels effective June 26, 2018, as follows:

|  |  |
| --- | --- |
| Assistant Chief | 3 |
| Deputy Chief | 5 |
| Commander | 6 |
| Captain | 17 |
| Lieutenant | 50 |
| Sergeant | 184 |
| Corporal/Detective | 241 |
| Police Officer | 1,210 |

**Total 1,716;** and

**WHEREAS**, of the total staffing identified above, a total of forty-six (46) positions in the classification of Police Officer were originally intended to be temporary in duration in order to accommodate academy graduates when insufficient vacancies existed due to lower-than-projected attrition and promotions and accelerated recruitment and training associated with creation of a sixth patrol division; and

**WHEREAS**,sufficient attrition has now occurred to allow for elimination of the remaining forty-six (46) Police Officer positions that were intended to be temporary; and

**WHEREAS**,the Fiscal Year 2019 budget included funding for four additional positions in the classification of Police Officer for the department’s School Resource Officer program, resulting in a potential net reduction of forty-two (42) positions in the Police Officer classification; and

**WHEREAS**, City management requested that the City Council decrease the number of authorized positions in the existing classification of Police Officer by forty-two (42) and thereafter prescribe the number of authorized positions in the Police Department to conform to the proposed changes as set forth below in order to effect efficient economy of the operations of the Police Department

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

**SECTION 1.**

That, 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 Police Department, until modified by subsequent ordinance:

|  |  |  |
| --- | --- | --- |
|  | Assistant Chief | 3 |
|  | Deputy Chief | 5 |
|  | Commander | 6 |
|  | Captain | 17 |
|  | Lieutenant | 50 |
|  | Sergeant | 184 |
|  | Corporal/Detective | 241 |
|  | Police Officer | 1,168 |
|  | **Total** | **1,674**  |

**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 police staffing ordinances for the Police 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.**

That 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.**

This ordinance shall take effect and be in full force and effective May 14, 2019, with respect to the reduction of forty-two (42) positions in the Police Officer classification, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY: ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Denis C. McElroy, Asst. City Attorney Mary J. Kayser, City Secretary

ADOPTED & EFFECTIVE: \_\_\_\_\_\_\_\_\_\_\_\_\_