

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 24-051-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING ARTICLE 1.04, OF THE CITY OF LEANDER CODE OF ORDINANCES TO ESTABLISH A CIVIL SERVICE COMMISSION IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE IMPLEMENTATION AND ADMINISTRATION OF CIVIL SERVICE FOR FIRE FIGHTERS; PROVIDING FOR A CIVIL SERVICE DIRECTOR; AND PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, OPEN MEETINGS, AND RELATED MATTERS.

WHEREAS, pursuant to a special election held on May 4, 2024, the voters of the City of Leander voted to adopt Chapter 143 of the Texas Local Government Code (Chapter 143) providing for civil service for fire fighters; and

WHEREAS, Chapter 143 provides that on adoption of Chapter 143, the Fire Fighters' Civil Service Commission is established; and

WHEREAS, the City Council of the City of Leander finds that establishing a fire fighters' civil service commission is required by state law and, in accordance with the City of Leander's practices, does, hereby establish such commission by ordinance;

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Civil Service Commission Established. Article 1.04, Chapter 1 of the City of Leander Code of Ordinances is hereby amended by adding Division 7, entitled "Fire Fighter's Civil Service Commission" to read as set forth in Exhibit A.

Section 3. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 4. Effective Date. This Ordinance will become effective upon its adoption, passage by the City Council in accordance with the procedures on the date of passage as required and publication as required by law.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this 20 day of June, 2024.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

EXHIBIT A
DIVISION 7. FIRE FIGHTERS' CIVIL SERVICE COMMISSION

Sec. 1.04.041. - Established; membership.

- (a) In accordance with V.T.C.A., Texas Local Government Code ch. 143, as amended, a firefighters' civil service commission is hereby established.
- (b) The firefighters' civil service commission shall consist of three members appointed by the city manager and confirmed by the city council. Except as provided herein, members shall serve three-year terms with the term of one member expiring each year. In making initial appointments, the city manager shall designate one member to serve a one-year term, one member to serve a two-year term, and one member to serve a three-year term in the manner required by this section. Except as provided herein, the city manager may reappoint a firefighters' civil service commission member to three consecutive terms. The city manager may reappoint a firefighters' civil service commission member to a fourth or subsequent consecutive term if such member is confirmed by two-thirds majority of all of the members of the city council.
- (c) Each commissioner of the firefighters' civil service commission shall meet the following qualifications:
 - (1) Be of good moral character;
 - (2) Be a citizen of the United States;
 - (3) Be a resident of the city who has resided in the city for more than three years;
 - (4) Be over the age of 25 years; and
 - (5) Shall not have held any public office within the preceding three years.

Sec. 1.04.042. - Vacancies.

If a vacancy occurs or if an appointee fails to qualify within 10 days after the date of appointment, the city manager shall appoint a person to serve the remainder of the unexpired term in the same manner as the original appointment.

Sec. 1.04.043. – Commission officers.

Each January, the commissioners shall elect a chairperson and vice-chairperson.

Sec. 1.04.044. – Removal of commissioners.

The city council may remove a member of the civil service commission according to V.T.C.A., Texas Local Government Code § 143.007, or other applicable law.

Sec. 1.04.045. – Duties.

The duties of the civil service commission shall be as delineated to the firefighters' civil service commission by V.T.C.A. Local Government Code ch. 143, as amended or hereafter amended.

Sec. 1.04.046. – Office of the Director of Civil Service.

- (a) *Office created.* There is hereby created the office of director of the firefighters' civil service, which office shall be filled by the appointment of the firefighters' civil service commission. Except for the residency requirement, the director shall meet the requirements for appointment to the commission.
- (b) *Compensation.* The city council shall set the salary, if any, to be paid to the director.
- (c) *Duties of the director.* The director shall serve as secretary to the commission, and shall perform all such work incidental to the civil service system, as may be required by the commission.
- (d) *Removal of the director.* The director shall at all times be subject to removal by the commission upon majority vote.”