



## AGENDA MEMORANDUM

Action Item for the City Council Meeting November 12, 2019

**DATE:** November 4, 2019  
**TO:** Peter Zaroni, City Manager  
**FROM:** Robert Rocha, Fire Chief  
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**Ordinance amending the FY2019-2020 Operating Budget by creating a provisional Fire Captain position within the Fire Department.**

### **CAPTION:**

Ordinance amending the FY2019-2020 Operating Budget, adopted by Ordinance No. 031870, to create a temporary provisional Fire Captain position within the Fire Department complement.

### **SUMMARY:**

Recently, an arbitrator reinstated a Fire Captain back into his position which was vacated in January of 2018 after he was terminated. The vacancy created in January of 2018 has since been filled. As such, a provisional position is being requested for the most recently promoted Fire Captain, until such time that a new vacancy occurs or until the end of Fiscal Year 2019-2020.

### **BACKGROUND AND FINDINGS:**

On October 19, 2019, an arbitrator issued an award letter reinstating a previously terminated Fire Captain.

Pursuant to Article 24, Section 2(C)(2) of the Collective Bargaining Agreement between the City of Corpus Christi and the Corpus Christi Professional Firefighters' Association:

If an indefinitely suspended Fire Fighter's appeal is sustained and the Fire Fighter is then reinstated but the position has been filled, the Fire Chief shall request that a provisional position be temporarily added in that rank for the remainder of the fiscal year in which this occurs. That request may be granted, denied or modified based on the needs and budgetary constraints of the Fire Department and the City.

Because the vacancy created in January of 2018 has since been filled, the department is requesting a temporary provisional Fire Captain position be added to the number of positions authorized for classification of Fire Captain from 79 to 80.

**ALTERNATIVES:**

The alternative would be to deny the provisional position and demote the most recently promoted Fire Captain to previously held rank. The reinstated Fire Captain would then fill this position. The demoted Fire Captain would be placed on a reinstatement list and promoted back to the rank of Fire Captain upon the creation of a vacancy.

**FINANCIAL IMPACT:**

The cost of adding the provisional Fire Captain position would be a total of \$87,878.00 inclusive of retirement and benefits.

**Funding Detail:**

Fund: 1020 General Fund  
Organization/Activity: 12010 Fire Stations  
Mission Element: 093  
Project # **(CIP Only)**: N/A  
Account: 510100 Salary and Wages

**RECOMMENDATION:**

Staff recommends approval of this ordinance adding a temporary provisional position.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance