

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Human Resources

**AGENDA DATE:** November 29, 2016 - Consent (First Reading of Ordinances)  
December 6, 2016 - Regular (Public Hearing & Second Reading of Ordinances)

**CONTACT PERSON NAME AND PHONE NUMBER:** Linda Ball Thomas, Director (915) 212-0045

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** Strategic Goal 6: Set the Standard for Sound Governance and Fiscal Management

**SUBJECT:**

**AN ORDINANCE AMENDING ORDINANCE 8064 (CLASSIFICATION AND COMPENSATION PLAN) TO AMEND SECTION 3.6 (LONGEVITY PAY) TO COMPORT WITH THE LEGISLATIVE INTENT OF THE CITY COUNCIL TO PAY LONGEVITY PURSUANT TO THE CITY'S BUDGET RESOLUTION.**

**BACKGROUND / DISCUSSION:**

Prior to fiscal year 2007, longevity pay was paid pursuant to the longevity pay plan set forth in Section 3.6 (Longevity Pay) of Ordinance 8064. In August of 2006, in conjunction with the adoption of the City's Budget for fiscal year 2007, the City replaced the longevity pay plan set forth in Section 3.6 of Ordinance 8064 with an updated and modernized longevity pay plan, which it placed in the City's budget resolution for FY2007, and which is has henceforth included in the City's annual budget resolution.

Since the adoption of the budget resolution for FY2007, the City has paid longevity pursuant to the longevity pay plan included in the City's budget resolution, as adopted annually. In this regard, it was the intent and purpose of the City Council to repeal and supersede Section 3.6 of Ordinance 8064 with the longevity pay provision in the City's budget resolution.

As a result of issues raised by City employees in the recent past relating to the City's longevity pay plan, the City deems it appropriate to make exact what the City Council's intent was in, and has been since, 2006. To eliminate any confusion created by the City's supersession of the longevity pay plan in Ordinance 8064 with the longevity pay plan set forth in the annual budget resolution, this amendment revises Ordinance 8064 Section 3.6 (Longevity) to reflect that longevity pay will be paid pursuant to the City's budget resolution.

**PRIOR COUNCIL ACTION:**

May 17, 2016 - City Council directed staff to continue conducting its financial analysis comparing longevity pay under the budget resolution with Ordinance 8064 Section 3.6, in response to a group grievance brought by ATU Local 1256 and heard by the Civil Service Commission on April 14, 2016.

February 24, 2009 - Last amendment made to Section 3.6 of Ordinance 8064

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD/COMMISSION ACTION:**

April 14, 2016 – Civil Service Commission heard group grievance brought by ATU Local 1256 on issue of longevity pay. CSC does not have jurisdiction over Ordinance 8064 (Classification and Compensation Plan).

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

*Claudia Lyman for LBT*

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(If Department Head Summary Form is initiated by Purchasing,  
client department should sign also)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 8064 (CLASSIFICATION AND COMPENSATION PLAN) TO AMEND SECTION 3.6 (LONGEVITY PAY) TO COMPORT WITH THE LEGISLATIVE INTENT OF THE CITY COUNCIL TO PAY LONGEVITY PURSUANT TO THE CITY'S BUDGET RESOLUTION.**

**WHEREAS**, prior to fiscal year 2007, longevity pay was paid pursuant to the longevity pay plan set forth in Section 3.6 (Longevity Pay) of Ordinance 8064; and

**WHEREAS**, in conjunction with the adoption of the City's Budget for fiscal year 2007, the City deemed it necessary and appropriate to replace the longevity pay plan set forth in Section 3.6 of Ordinance 8064 with an updated and modernized longevity pay plan, which it placed in the City's budget resolution for FY2007; and

**WHEREAS**, it was the intent and purpose of the City's legislative body to repeal and supersede Section 3.6 of Ordinance 8064 with the longevity pay provision in the City's budget resolution; and

**WHEREAS**, as evidence of that intent, beginning on September 1, 2006, the City has paid longevity pay to eligible employees pursuant to the longevity pay plan that is adopted and set forth annually in the City's budget resolution; and

**WHEREAS**, as a result of issues raised by City employees as relates to longevity pay, the City deems it appropriate to make exact what the City's legislative body's intent was in, and has been since, 2006; specifically, to reaffirm the City Council's intent and purpose that longevity pay be paid pursuant to the longevity pay plan set forth in the City's budget resolution, as adopted annually; to eliminate any confusion created by the City's supersession of the longevity pay plan in Ordinance 8064 with the longevity pay plan set forth in the budget resolution; and to confirm that it has never been the City's intent for the longevity pay plan in both the budget resolution and Ordinance 8064 to be concurrently effective.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That Section 3.6 of Ordinance 8064, Classification and Compensation Plan, is amended in its entirety as follows:

**3.6 LONGEVITY PAY**

Longevity pay shall be paid as set forth in the City of El Paso's budget resolution, as adopted annually or as otherwise amended. (Amended 10/20/87, 12/30/91, 11/5/05, 02/24/09 and \_\_\_\_\_)

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

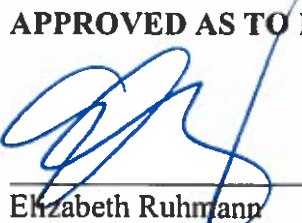
**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Lessor  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Elizabeth Ruhmann  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Linda Ball Thomas  
Human Resources Director

# **Ordinance 8064, Section 3.6 with track changes**

## ORDINANCE 8064, SECTION 3.6 (LONGEVITY PAY) AMENDMENT WITH TRACK CHANGES

### 3.6 LONGEVITY PAY

Longevity pay shall be paid as set forth in the City of El Paso's budget resolution, as adopted annually or as otherwise amended. A) ~~Each regular, full-time employee in the classified service, and each regular, full-time employee in the unclassified service who is federally grant funded, and each unclassified Department Head not receiving longevity pay under Section 141.032, Local Government Code, Vernon's Texas Codes Annotated, shall receive on the anniversary date of his original appointment to a regular, full-time position in the City service, an additional monthly sum equal to the amount provided for an employee entitled to receive monthly longevity pay under Section 141.032 cited above unless modified by Collective Bargaining agreement.~~ (Amended 10/20/87, 12/30/91, 11/15/05, and 02/24/09 and \_\_\_\_\_)

B) ~~Where a break in service occurs, other than for reasons of lay off or job abolishment due to reduction in force, longevity credits accrued prior to the break in service shall not be counted for the purpose of this Ordinance in case of subsequent reinstatement or appointment.~~ (Amended 11/15/05)

C) ~~Longevity payments made under this Ordinance will be made on a bi-weekly basis.~~

# **Ordinance 8064, Section 3.6 with accepted changes**

**ORDINANCE 8064, SECTION 3.6 (LONGEVITY PAY)  
AMENDMENT WITH TRACK CHANGES**

**3.6 LONGEVITY PAY**

Longevity pay shall be paid as set forth in the City of El Paso's budget resolution, as adopted annually or as otherwise amended. (Amended 10/20/87, 12/30/91, 11/15/05, 02/24/09 and \_\_\_\_\_)