

ORDINANCE NO. 2024-O-269

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING CHAPTER 2, ARTICLE II, DIVISION 6 (PAY ADMINISTRATION), OF THE CITY OF LAREDO CODE OF ORDINANCES, SPECIFICALLY SECTION 2-87.7 POLICY BY AMENDING SECTION (c)(8) AND ADDING (c)(9) FOR PURPOSES OF GIVING THE CITY MANAGER THE AUTHORITY TO MAKE DETERMINATIONS REGARDING COMPENSATION TO EMPLOYEES FOR EXCEPTIONAL PERFORMANCE AND CONTRIBUTIONS DURING EMERGENCIES.

WHEREAS, the City of Laredo is a Home Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Laredo recognizes the exceptional efforts of its employees during times of emergency, which are critical to maintaining public safety and community resilience; and

WHEREAS, the ongoing demands placed on city staff during emergency situations require a heightened level of performance and commitment beyond their regular duties; and

WHEREAS, it is necessary to provide appropriate recognition and compensation for salaried employees who exceed their normal job responsibilities during an emergency declaration; and

WHEREAS, the City Manager has the authority to make determinations regarding compensation for employees and is best positioned to assess the performance and contributions of city staff during emergencies; and

WHEREAS, providing a lump sum payment to an employee's salary will serve as an incentive for continued exceptional service and will help to maintain morale among city employees during challenging times; and

WHEREAS, it is in the best interest of the City to implement a clear and fair compensation policy to ensure that employees are recognized for their extraordinary efforts during emergencies;

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

Section 1: Chapter 2, Article II, Division 6 (Pay Administration) Section 2.87.7 Policy is hereby amended as follows:

Sec. 2-87.7. - Policy.

(a) All covered employees will be paid in accordance with the city's wage schedule, attached to Ord. No. 2023-O-206 as Exhibit A-1, which is incorporated herein by reference.

(b) All budgeted positions will be classified by the city manager with the assistance of the human resources director by use of the Segal Compensation Classification Study recommendations adopted by the city council on December 5, 2022 and as such may be amended by the city council hereafter and each position shall be assigned a grade within the city's wage schedule referred to in (a) above.

(c) There is set forth herein the procedure by which pay increases within each pay grade shall be achieved. The procedure is as follows:

(1) All employees must maintain "satisfactory" performance during each performance appraisal period for the rate of pay attained. Sustained substandard performance may lead to probation, a demotion with rate of pay reduction or termination, as appropriate.

(2) For those employees who are promoted from one (1) position/pay grade to another, compensation in the new position/pay grade will normally be at the minimum rate of pay in the new pay grade or at that rate of pay in the new pay grade which will provide at least a five (5) percent pay increase, whichever is greater. However, in those cases where the position has been designated as "critically skilled" and/or the employee's experience, education, training and performance appraisal merit such action, the city manager may, on a case-by-case basis, promote an employee to any rate of pay within a pay grade provided that the city council be notified of any assignment above step the midpoint.

(3) Those employees laterally transferred (within the same pay grade) from one (1) position to another shall complete a twelve-month orientation period but will not receive a pay increase either initially or at the end of their twelve-month orientation period.

(4) All vacant positions and/or those positions requiring the promotion of the regular employees will be competitively advertised for at least five (5) working days prior to filling the position and closing the advertising. Employees seeking promotion and/or lateral transfer must apply for the vacant position. The city manager shall have the authority to transfer an employee on an involuntary basis, if it is considered to be in the best interest of the city.

(5) Those employees that temporarily fill a position of increased responsibility (at a higher pay grade) for thirty (30) days or more will be compensated at the higher rate of pay until such time as they cease performing the duties of increased responsibility; the increase in salary shall commence on the thirty-first day in the position, and shall be retroactive to the first day in the higher pay grade. Positions will not be filled on a temporary basis by regular employees for periods of one hundred eighty (180) days or more; in such cases when the position is projected to be vacant in excess of one hundred eighty (180) days, the position must be competitively advertised upon reaching the one hundred fiftieth (150th) day of vacancy.

(6) New hires will normally start at the minimum rate of pay in the respective pay grade. However, the city manager may on a case-by-case basis, hire at any rate of pay, within a

pay grade in those cases where the position has been designated as "critically skilled" and/or the applicant's experience, training and/or education merit such action. Critically skilled positions are those positions which are abnormally difficult to fill due to market aberrations, highly technical and/or specialized requirements. The city manager will notify council of any new hires above the midpoint.

(7) The city manager shall be authorized to create and fill a temporary position during an emergency or critical situation, provided that there is a position vacancy or that funding is available within the requesting department's budget. The temporary position created under this provision shall terminate within one hundred eighty (180) days of being filled, unless extended by council action. The city manager shall inform the council of any temporary positions that are created.

(8) The City Manager shall be authorized to recognize and compensate salaried employees who perform above and beyond their duties while the City is under an emergency declaration. The City Manager, upon recommendation from the Department Director, may approve:

a. Employee Recognition;

b. Flexible schedule for recuperation purposes for no longer than one (1) pay period;

c. Up to five (5) days of additional Personal Holiday Leave for recuperation; or

d. A lump sum payment up to five (5%) of the employee's rate of pay for the pay period(s) the employee worked under the emergency declaration.

~~{(8)}~~ (9) Effective February 5, 2023, the city's wage schedule shall be amended as follows:

- a. All rates of pay in all grades in the wage schedule will be increased by a cost of living increase of three (3) percent effective October 1, 2023, as per Ordinance 2023-O-187;
- b. Henceforth, the City of Laredo's wage schedule will consist of a rate range with a minimum, midpoint and maximum rate of pay (see Exhibit A-1, incorporated herein by reference).

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable. 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 City Council would have enacted the same without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. The City Secretary of the City of Laredo is hereby directed to publish the proposed Ordinance as required by Section 2.09 of the Charter of the City of Laredo.

Section 5. This Ordinance shall become effective sixty days from the public hearing date.

**DULY PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
THE _____ DAY OF _____, 2024.**

**DR. VICTOR D. TREVIÑO
MAYOR**

ATTESTED:

**MARIO MALDONADO
CITY SECRETARY**

APPROVED AS TO FORM:

**DOANH “ZONE” T. NGUYEN
CITY ATTORNEY**