



## Recommendation for Action

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**File #:** 20-2995, **Agenda Item #:** 33.

9/17/2020

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### **Posting Language**

Approve a resolution authorizing the extension of line of duty injury leave of absence for Austin Police Department Officer Abel Garza through September 5, 2021.

### **Lead Department**

Austin Police Department

### **Fiscal Note**

Funding in the amount of \$142,435 is available in the Fiscal Year 2019-2020 Austin Police Department Operating Budget.

### **Prior Council Action:**

N/A

### **For More Information:**

Troy Gay, Chief of Staff, Austin Police Department, (512) 974-5030

### **Additional Backup Information:**

On September 1, 2019, Officer Abel Garza was injured while on motorcycle patrol working a barricade when he was struck by another vehicle and sustained multiple injuries. He was performing the duties of a uniformed Austin Police Officer. Due to his injuries, Officer Garza has been on line of duty injury leave of absence at full pay since September 5, 2019.

APD is requesting that City Council extend Officer Garza's Line of Duty Leave for up to an additional year, at full pay. Officer Garza continues to recover from his injuries. He intends to return to work when he is medically cleared to do so. Council approval of this item would extend Officer Garza's line of duty injury leave of absence until September 5, 2021, if necessitated by his injuries.

Texas Local Government Code section 143.073 provides that a municipality shall provide to a fire fighter or police officer a leave of absence for an illness or injury related to the person's line of duty. The leave must be at full pay for a period commensurate with the nature of the line of duty illness or injury. If necessitated by the illness or injury, the leave must continue for at least one year. At the end of the year, the municipality's governing body may extend the line of duty illness or injury leave of absence at full or reduced pay. If the governing body chooses not to extend the leave, or if the person's salary is reduced below 60 percent of the regular monthly salary, the person may be entitled to retire on pension until able to return to duty.

### **Strategic Outcome(s):**

Safety.