

Summary of Firefighter Union Petitions

Below please find a description and potential impact of the three petitions seeking to amend the City Charter currently under circulation by the San Antonio Professional Firefighter's Association.

I. Petition for amendment to use of the referendum process: The petition seeks to expand topics of referendum in Section 35 of the City Charter to include appropriations, levying taxes, setting rates, zoning or any ordinance. It lowers the threshold of signatures from approximately 70,000 to 20,000 and expands timeframe for obtaining the signatures from 40 days to 180 days.

Impact. The referendum petition calling for reducing the number of signatures to 20,000 and expanding the scope of what may appear on a petition to include appropriations, utility rates, and taxes will severely undermine the ability of City Council to consider and implement policy, particularly long term initiatives. Most immediate and severe impact could be to budget decisions, rate adjustments, and taxing initiatives. Electorate would essentially be able to adjust budget items or rate adjustments by referendum thereby undermining the ability to of the City to effectively manage the budget. The uncertainty created by potential changes to revenues and expenditures will certainly negatively impact the City' bond rating.

II. Petition for amendment to allow the Union to impose unilateral binding

arbitration: Currently, the Fire contract follows state law on impasse processes, unlike police who contractually adopted an impasse process. After the commencement of negotiations, state law provides for:

- (a) the circumstances determining impasse,
- (b) arbitration if
 - (1) both parties go through mediation and
 - (2) both agree to arbitration.

The petition seeks to allow the Union unilaterally to declare impasse and unilaterally require binding arbitration upon the City.

Impact. Arbitration procedures are already established under State law which requires action by both Parties before arbitration is called for. The petition would give the Union the unilateral right to call for binding arbitration before any other process requirements, e.g. active negotiations. In short, the Union could call for binding arbitration before any good faith negotiations with the City.

III. Petition for amendment to set a limit on the appointment, term of appointment, and salary of a City Manager: Currently, the Charter provides that Council shall appoint the City Manager and vests in Council the power to determine compensation and term of the City Manager. The petition seeks to require a supermajority vote (8 votes out of 11) to select the City Manager, limit the term to 8 years and limit pay to 10 times the amount of the lowest paid city employee.

Impact. The City Manager is appointed by and reports to the City Council. The petition setting tenure and salary limits on the City Manager will limit the ability of the City Council to recruit and retain the best talent for the position. Stockholders of major public companies have routinely voted against similar stockholder actions limiting CEO compensation for the very same reasons. The tenure limitation will also limit the ability to recruit and retain talent for leadership positions within City Staff. The limitations on hiring the best City Manager candidate may impact the City's bond rating.