

# Petitions

## **PROPOSITION A: Petition for a City of San Antonio Charter Amendment to facilitate voter use of the referendum process**

To the Mayor and City Council of the City of San Antonio (“City”): We, the undersigned registered voters of the City of San Antonio, Texas, under Section 9.004 of the Texas Local Government Code, hereby petition for an election to amend the Charter of the City of San Antonio, Article IV, Sec. 35, so as to increase the number of days within which a petition may be filed seeking a referendum on an ordinance passed by council from forty (40) to one hundred eighty (180) days, to provide that no more than twenty thousand (20,000) signatures of registered voters be required for such a petition, and to expand the types of ordinances that may be subject to referendum. As so amended, Article IV, Sec. 35, shall read as follows:

*Sec. 35. Power of referendum.*

The electors shall have power to approve or reject at the polls any ordinance passed by the council save one submitted by the council of its own initiative to a vote of the electors; provided, however, that the foregoing limitation on ordinances subject to a referendum shall not apply to any ordinances enacted pursuant to the provisions of Article I, Section 3, Paragraph 12 of this Charter. Ordinances submitted to the council by initiative petition and passed by the council shall be subject to the referendum in the same manner as other ordinances. Within one hundred eighty (180) days after the enactment by the council of any ordinance which is subject to a referendum, a petition signed by qualified electors of the city equal in number to at least ten percent of the electors qualified to vote at the last preceding regular municipal election, or by twenty thousand (20,000) qualified electors, whichever number is less, may be filed with the city clerk requesting that any such ordinance be either repealed or submitted to a vote of the electors.

## **PROPOSITION B: Petition for a City of San Antonio Charter Amendment to set a limit to the appointment, term of appointment and salary of a city manager**

To the Mayor and City Council of the City of San Antonio (“City”): We, the undersigned registered voters of the City of San Antonio, Texas, under Section 9.004 of the Texas Local Government Code, hereby petition for an election to amend the Charter of the City of San Antonio, Article V, Sec. 45, so as to require that the appointment of a city manager must be approved by a supermajority vote (i.e., at least 67%) of the members of council, that a city manager may not serve more than eight (8) years, and that the total compensation paid to a city manager may not be more than ten (10) times greater than the salary furnished to the lowest paid city employee. As so amended, Article V, Sec. 45, shall read as follows:

*Sec. 45. City manager – Selection, appointment and removal.*

*Par. 1. Selection.* The council shall, by a supermajority vote (i.e., at least 67%) of its members, appoint a city manager who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council which, in no event, shall exceed, in total, an amount greater than ten (10) times the annual salary furnished to the

lowest paid full-time city employee, and shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term, but may not serve any more than eight (8) years. The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers, and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.

### **PROPOSITION C: Petition for a City of San Antonio Charter Amendment to require arbitration, in lieu of litigation, in the event of impasse in collective bargaining**

To the Mayor and City Council of the City of San Antonio ("City"): We, the undersigned registered voters of the City of San Antonio, Texas, under Section 9.004 of the Texas Local Government Code, hereby petition for an election to amend the Charter of the City of San Antonio to add the following as a separate section of our Charter, to read as follows:

If the City and the International Association of Fire Fighters Local 624 ("Association") have reached an impasse, as determined by the Association through written notice to the City, in regards to the negotiation of a collective bargaining agreement:

- (1) The Association, after written notice to the City containing specifications of the issues in dispute, may request arbitration and, in such event, the City and the Association shall submit all issues in dispute to arbitration within forty-five (45) days of the City's receipt of the Association's written arbitration request. The arbitration ruling shall be final as to, binding on, and enforceable against both parties.
- (2) Both parties shall select one arbitrator within fifteen (15) days of the Association's original request to arbitrate and provide written notification to the other party of the name and selected contact information for the selected arbitrator. The selected arbitrators shall attempt to select a third (neutral) arbitrator within ten (10) days of their selection in order to form a three-person Arbitration Board ("Board"). If the arbitrators are unable to agree on a third arbitrator, either party may request the American Arbitration Association select the third arbitrator, according to its fair and regular procedures. The third arbitrator shall preside over the Board. Any decisions made by the Board at any stage of the arbitration process will be determined by simple majority vote of the selected arbitrators.
- (3) Arbitration involved hereunder shall be conducted by the City and the Association pursuant to the procedures, timelines, duties, requirements and rights as set forth in the following provisions of

Chapter 174 of the Texas Local Government Code: Tex. Loc. Gov't Code §§ 174.155, 174.157 – 174.162, 174.164 and 174.253, or any successor to these statutory provisions.

(4) In making its decision, the Board may consider only the following: (a) compensation and conditions of employment that prevail in comparable public sector employment in other cities; (b) the rate of increase or decrease in the cost of living for the San Antonio area as determined by the Consumer Price Index; (c) any of the following conditions: (i) hazards of employment, (ii) physical qualifications, (iii) educational qualifications, (iv) mental qualifications, (v) job training, (vi) skills, and (vii) any other factors the Board determines to be relevant to the issues raised by the parties; and (d) revenues available to the City and the impact of any arbitration ruling on the taxpayers of the City.