

AJP:lmc
11/23/93

AN ORDINANCE **79233**

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 90-CI-10130, SIEBERT ET. AL. VS. CITY OF SAN ANTONIO; AUTHORIZING PAYMENT OF BACKPAY IN THE AMOUNT OF \$235,000.00 AND PENSION CONTRIBUTIONS IN THE AMOUNT OF \$48,280.00; APPROVING AN AMENDMENT TO THE PROMOTIONS ARTICLE XXXI OF THE COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 624, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS' TO PROVIDE ELIGIBILITY FOR PROMOTIONAL EXAMINATION BASED ON RETROACTIVE SENIORITY; AUTHORIZING THREE FIRE CAPTAIN POSITIONS AND PROVIDING FUNDS THEREFOR IN THE AMOUNT OF \$84,963.00; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, certain firefighters filed suit in Cause No. 90-CI-10130, styled Ty Siebert et. al. v. City of San Antonio, seeking retroactive promotions, benefits and backpay including interest, costs, and attorneys fees, as a result of promotions they allege they would have received had the City not civilianized positions in Fire Prevention in FY 1986-87; and

WHEREAS, the civilianization of positions previously held by firefighters in Fire Prevention, Fire Alarm and EMS Dispatch was declared void by the Fourth Court of Appeals in Cause No. 04-88-00320-CV, International Association of Firefighters Local 624 v. City of San Antonio and that such constituted an abolishment of such sworn positions in violation the state civil service statute; and

WHEREAS, the 119 individual firefighters in this suit have agreed to settle their monetary claims and the Union membership have approved an amendment to the current Collective Bargaining Agreement to provide for retroactive promotional test eligibility; and

WHEREAS, the settlement of this suit and approval of the amendment to the Promotions Article XXXI of the current firefighters Collective Bargaining Agreement is recommended for which approval is required; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The compromise and settlement of all claims and causes of action against the City of San Antonio in Cause No. 90-CI-10130, Ty Siebert et. al. vs. City of San Antonio, in the 73rd Judicial District Court of Bexar County, Texas in the amount of \$235,000.00 is hereby approved.

SECTION 2. The City Manager is authorized to enter into an Agreement with the International Association of Firefighters, Local 624, in terms substantially as reflected in Attachment C hereto, to amend the provisions of Article XXXI, Promotions, of the current Collective Bargaining Agreement with Local 624, International Association of Firefighters, to provide for retroactive eligibility for promotional exam purposes for persons whose promotions are made retroactive.

SECTION 3. Three Firefighter positions (0660) in the personnel complement of the Fire Suppression Division of the Fire Department, Activity No. 20-04-01 are authorized to be deleted from said activity and three Fire Captain positions (0663) are authorized to be added to Activity No. 20-02-01. The number of authorized firefighter positions in the General Fund is reduced from 504 to 501 and the number of Fire Captain positions is increased from 85 to 88.

SECTION 4. The amount of \$283,280.00 is authorized to be paid from Fund No. 75, Liability Reserve Subfund (001) Activity No. 06-01, Object Code 04-258, Index Code 500512 in the amounts and for the purposes shown in Attachment B hereto subject to usual payroll deductions and for pension contributions in the amount of \$48,280.00 and as directed by the City Attorney upon receipt of properly executed release documents. Funds are provided in the FY 93-94 General Fund Budget of the Fire Department in the amount of \$84,936.00 to fund the three Fire Captain positions.

SECTION 5. Due to the necessity to implement this settlement as expeditiously as possible, an emergency is hereby declared whereupon receipt of eight (8) affirmative votes this ordinance shall become effective immediately upon enactment, otherwise, ten (10) days from date of final adoption.

PASSED AND APPROVED this 23rd day of November, 1993.

Mark W. W. W. W.
M A Y O R

ATTEST: *Ann S. Rodriguez*
City Clerk

APPROVED AS TO FORM: *John M. Farley*
City Attorney

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MEMORANDUM OF AGREEMENT AND UNDERSTANDING

WHEREAS, the City of San Antonio, Texas (hereinafter "City"), and the International Association of Firefighters' Local 624 (hereinafter "IAFF") pursuant to and in compliance with art. 5154c-1, Tex. Rev. Civ. Stat. Ann. have negotiated a Collective Bargaining Agreement (hereinafter "Agreement") covering terms and conditions of employment for all firefighters employed by the City, excluding the Fire Chief, for the period from October 1, 1988 through September 30, 1992; and

WHEREAS, Article XXXI of the Agreement contains provisions for eligibility for fire promotional examinations as further interpreted in Paragraph 14 of the Letter of Mutual Intent attached thereto, and

WHEREAS, the City and the firefighter Plaintiffs in Cause NO. 90-CI-10130 have expressed their intention to provide retroactive seniority and promotional exam eligibility for firefighters who receive retroactive promotions; and

WHEREAS, the membership of the IAFF have conducted an election to amend the Agreement to provide for such promotional exam eligibility which was overwhelmingly approved in early October 1993 and the City Council has authorized the amendment in Ordinance 79233 adopted November 23, 1993; **NOW THEREFORE:**

THE PARTIES AGREE that Article XXXI, Section 1(B) be and is hereby amended to read as follows:

"B. Eligibility -

1. Fire promotional examinations shall be open to all Fire Fighters who have held a classified position with the San Antonio Fire Department for two (2) continuous years or more, immediately below that rank for which the examination is to be held. Fire Fighters who receive a retroactive promotion will be entitled to use the retroactive promotion date for purposes of determining eligibility to take future promotional examination.
2. The two (2) year continuous period required for eligibility to take the promotional examination for the rank of Fire Engineer shall commence with the date the Fire Fighter entered the Fire Academy.

3. In the event the scheduling of a promotional examination is prior to the ninetieth (90th) day of the vacancy, any Fire Fighter that would become eligible for such exam if it was given on the ninetieth (90th) day would be allowed to take such exam. For the purposes of calculating the ninetieth (90th) day, day one (1) begins from the first day of vacancy. Such Fire Fighter will also need to have met the criteria for eligibility for such exam as if it were given on the ninetieth (90th) day.

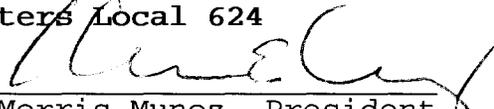
This **MEMORANDUM OF AGREEMENT** and **UNDERSTANDING** shall become effective and apply to all fire promotional exams administered after October 10, 1993.

IN WITNESS WHEREOF, each of the undersigned has affixed his signature hereto. **EXECUTED** in five (5) originals on this the 16TH day of December, 1993.

City of San Antonio

By: 
Alexander E. Briseno
City Manager

International Association of
Fighters Local 624

By: 
Morris Munoz, President

Attest: 
Secretary

Relief Sought by Plaintiffs in Civilianization II
Amended October 6, 1993

Fire Captains

<u>Name</u>	<u>Present Promo. Date</u>	<u>New Promo. Date</u>
Rakowitz, David L.	3/30/88	7/03/87
Rodriguez, Dennis C.	4/12/88	8/21/87
Rankin, Michael E.	4/24/88	11/18/87
Creighton, Thomas E.	4/29/88	3/30/88
McLeod, Alexander J.	4/29/88	4/12/88
Faseler, Don R.	4/29/88	4/24/88
Pacheco, Ramon	7/09/88	4/29/88
Covington, David A.	8/10/88	4/29/88
Mora, William R.	11/26/88	4/29/88
Aguilar, John D.	11/26/88	7/09/88
Thompson, Thomas N.	11/26/88	10/01/88
Meier, Dennis M.	2/18/89	11/26/88
Wueste, Jim Goodwin	2/18/89	11/26/88
Mazuca, Richard V.	2/18/89	11/26/88
Kesl, Jr., Edward R.	2/27/93	2/18/89
Suther, George B.	7/28/93	2/18/89
Gullo, David J.	*	2/18/89
De La Garza, John A.	3/27/93	2/27/93
George, Johnny	5/08/93	3/27/93
Reed, Larry A.	6/05/93	5/08/93
Campbell, Jim	7/03/93	6/05/93
Elizondo, Robert	7/28/93	7/03/93
Wilborn, Roy	9/11/93	7/28/93
Guerrero, Adam	9/11/93	7/28/93
McNeil, Otis, Jr.	*	9/11/93
Zalesky, Lee	*	9/11/93

Fire Lieutenants

<u>Name</u>	<u>Present Promo. Date</u>	<u>New Promo. Date</u>
Collins, James C.	7/11/87	6/03/87
Martinez, David E.	7/09/88	11/19/87
Alexander, Billy G.	*	11/19/87
Estrada, Rodolfo R.	5/26/90	1/17/88
Miles, James W.	11/26/88	1/23/88
Scott, Robert B.	*	1/23/88
Hernandez, Richard A.	*	1/23/88
Arrambide, Joseph A.	*	1/23/88
Powell, James E.	*	1/23/88
Torres, Raymond V.	10/01/88	7/09/88
Balderas, Louis A.	10/01/88	7/09/88
Perez, Armando	11/26/88	10/01/88
Bachmeier, Jr., Richard D.	11/26/88	10/01/88
Peacock, Nathan R.	12/24/88	11/26/88
Elizondo, Robert J.	2/18/89	11/26/88

<u>Name</u>	<u>Present Promo. Date</u>	<u>New Promo. Date</u>
Mason, David T.	2/18/89	11/26/88
Montalvo, David	2/18/89	12/24/88
Rincon, Frank S.	*	2/18/89
Mercado, David M.	12/23/89	2/18/89
Gonzalez, Joel R.	*	2/18/89
Bullock, Thomas M.	1/20/90	12/23/89
Scott, Kevin P.	2/03/90	1/20/90
Zorola, Jr., John	2/17/90	2/03/90
Walker, James E.	1/02/93	2/17/90
Santos, Roger R.	3/21/92	5/26/90
Granato, Yvette B.	5/08/93	3/21/92
Villarreal, Arthur	1/30/93	1/02/93
Mendiola, Jacob	2/27/93	1/30/93
Jagge, Raymond	5/08/93	2/27/93
Boldway, Steven	7/03/93	5/08/93
Coatney, David	7/03/93	5/08/93
Varelas, Chris	7/28/93	7/03/93
Steele, Christopher	7/28/93	7/03/93
Kneupper, Robert	*	7/28/93
Hernandez, Joe D.	*	7/28/93

Fire Engineers

<u>Name</u>	<u>Present Promo. Date</u>	<u>New Promo. Date</u>
Huth, Joseph B.	9/05/87	8/02/87
Johnson, Ronald J.	9/05/87	8/02/87
Rojas, David C.	9/19/87	9/05/87
Eberhardt, Steven R.	9/19/87	9/05/87
Douglass, Hugh G.	7/09/88	9/19/87
San Miguel, Anthony A.	2/06/88	9/19/87
Gray, Michael A.	2/06/88	9/20/87
Delgado, Ruben	2/06/88	9/20/87
Guerrero, Anthony L.	*	10/31/87
De La Garza, Albert	11/26/88	12/19/87‡
Martinez, Armando	*	1/17/88‡
Juarez, Daniel	2/06/88	1/17/88‡
Salame, Jose A.	5/14/88	2/06/88
Montemayor, Mario	5/14/88	2/06/88
Martinez, Louis H.	7/09/88	2/06/88
Martinez, Carlos	7/09/88	2/06/88
Ybarra, Michael	7/09/88	2/06/88
Willis, David B.	7/09/88	3/17/88
Hernandez III, Carlos	7/09/88	5/14/88
Jones, John D.	7/09/88	5/14/88
Aultman, John C.	8/06/88	7/09/88

‡ Although 11/26/86 list expired on 11/25/87, these 3 vacancies occurred prior to list's expiration, and were thus required under prior case law to be filled from the 11/26/86 list.

<u>Name</u>	<u>Present Promo. Date</u>	<u>New Promo. Date</u>
Pierce, Michael W.	10/01/88	7/09/88
Uribe, Lauro I.	10/01/88	7/09/88
Leal, Marcelino G.	11/26/88	7/09/88
Sandoval, John M.	11/26/88	7/09/88
Ozuna, Richard F.	11/26/88	7/09/88
Perez, Ralph A.	11/26/88	7/09/88
Llewellyn, Jr., Richard J.	11/26/88	8/06/88
Diaz, Joe A.	11/26/88	10/01/88
Rodriguez, Michael A.	12/24/88	10/01/88
Solis, Jr., Cruz	9/30/89	11/26/88
Rangel, Rudolph J.	4/08/89	11/26/88
Cortes, Mario D.	*	11/26/88
Steele, Christopher A.	2/03/90	11/26/88
Qvick, Opal J.	9/30/89	11/26/88
Castaneda, Valentino	5/10/89	11/26/88
Garcia, Richard F.	*	12/24/88
Medlock, John T.	11/11/89	6/10/89
Castaneda, Fernando G.	11/11/89	6/10/89
Jenkins, Randy L.	12/23/89	9/30/89
Perez, Raymond A.	12/23/89	9/30/89
Sanchez, Ruben M.	1/20/90	11/11/89
Rios, Juan A.	1/20/90	11/11/89
Boldway, Steven A.	1/20/90	12/23/89
Johnson, Frederick A.	1/20/90	12/23/89
Peters, David L.	2/03/90	1/20/90
Silva III, Cresencio	2/17/90	1/20/90
Vallejo, Lino R.	2/17/90	1/20/90
Collins, Jessie A.	4/14/90	1/20/90
Reyes, Rafael A.	*	2/03/90
Garcia, Hector	*	2/03/90
Mendoza, Frank C.	*	2/17/90
Bissaro, Donald O.	7/18/93	2/17/90
Johnston, Douglas L.	2/27/93	4/14/90
Gonzales, Roberto	*	2/27/93
DeCock, James	7/31/93	7/18/93
Hastings, Machele	9/11/93	7/31/93
Guerra, Jesse	*	9/11/93

PLAINTIFF'S LIST

SEIBERT V. CITY OF SAN ANTONIO

	<u>NAME</u>	<u>AMOUNT</u>
1.	AGUILAR, JOHN D.	\$ 1,022.46
2.	ALEXANDER, BILLY	12,852.53
3.	ARRAMBIDE, JOSEPH A.	13,939.14
4.	AULTMAN, JOHN C.	108.97
5.	BACHMEIER, RICHARD JR.	309.08
6.	BALDERAS, LOUIS A.	476.09
7.	BISSARO, DONALD D.	4,870.94
8.	BOLDWAY, STEVEN A.	513.78
9.	BULLOCK, THOMAS M.	154.79
10.	CAMPBELL, JAMES	238.81
11.	CASTENEDA, FERNANDO G.	599.83
12.	CASTENEDA, VALENTINO	643.11
13.	COATNEY, DAVID E.	350.83
14.	COLLINS, JAMES C.	197.57
15.	COLLINS, JESSE A.	262.74
16.	CORTES, MARIO	6,255.43
17.	COVINGTON, DAVID	752.59
18.	CREIGHTON, THOMAS E.	218.44
19.	DECOCK, JAMES	56.01
20.	DE LA GARZA, ALBERT JR.	1,063.70
21.	DE LA GARZA, JOHN A.	250.41
22.	DELGADO, RUBEN	423.14
23.	DIAZ, JOE A.	175.16

24.	DOUGLAS, HUGH G.	903.31
25.	EBERHARDT, STEVEN R.	41.24
26.	ELIZONDO, ROBERT J.	749.53
27.	ESTRADA, RUDOLFO R.	4,740.58
28.	FASELER, DON RUSSELL	36.66
29.	GARCIA, HECTOR	4,635.18
30.	GARCIA, RICHARD F.	6,264.60
31.	GEORGE, JOHNNY LEE JR.	362.66
32.	GONZALEZ, JOEL R.	10,298.93
33.	GONZALEZ, ROBERTO	819.80
34.	GRANATA, YVETTE	2,903.92
35.	GRAY, MICHAEL A.	433.83
36.	GUERRA, JESSE	105.40
37.	GUERRERO, ADAM	394.11
38.	GUERRERO, ANTHONY	7,491.24
39.	GULLO, DAVID J.	13,560.31
40.	HASTINGS, MACHELE	179.74
41.	HERNANDEZ, CARLOS III	175.16
42.	HERNANDEZ, JOE D.	469.48
43.	HERNANDEZ, RICHARD A.	12,287.32
44.	HUTH, JOSEPH	125.26
45.	JAGGE, RAYMOND	463.87
46.	JENKINS, RANDY L.	327.41
47.	JOHNSON, FREDERICK A.	108.97
48.	JOHNSON, RONALD	99.80
49.	JOHNSTON, DOUGLAS	3,815.89

50.	JONES, JOHN D.	218.44
51.	JUAREZ, DANIEL	61.10
52.	KESL JR., EDWARD R.	11,207.84
53.	KNUEPPER, ROBERT L.	510.21
54.	LEAL, MARCELINO	436.89
55.	LLWELLYN, RICHARD J. JR.	349.31
56.	MARTINEZ, ARMANDO	7,176.05
57.	MARTINEZ, CARLOS	477.11
58.	MARTINEZ, DAVID	1,940.53
59.	MARTINEZ, LOUIS	477.11
60.	MASON, DAVID	535.67
61.	MAZUCA, RICHARD	613.07
62.	MEDLOCK, JOHN T.	480.68
63.	MEIER, DENNIS	613.07
64.	MENDIOLA, JACOB	188.91
65.	MENDOZA, FRANK C.	4,591.90
66.	MERCADO, DAVID M.	1,701.21
67.	MCLEOD, ALEDANDER J.	123.73
68.	MCNEIL, OTIS JR.	262.74
69.	MILES, JAMES	1,955.30
70.	MONTALVO, DAVID	309.08
71.	MONTEMAYOR, MARIO	302.46
72.	MORA, WILLIAM R.	1,540.31
73.	OZUNA, RICHARD F.	545.35
74.	PACHECO, RAMON	517.85
75.	PEACOCK, NATHAN R.	178.73

76.	PEREZ, ARMANDO	356.94
77.	PEREZ, RALPH	436.89
78.	PEREZ, RAYMOND	327.41
79.	PETERS, DAVID	54.48
80.	PIERCE, MICHAEL	262.74
81.	POWELL, JAMES	12,339.77
82.	QVICK, OPAL	961.36
83.	RAKOWITZ, DAVID	1,916.60
84.	RANGEL, RUDOLPH	517.85
85.	RANKIN, MICHAEL	1,134.99
86.	REED, LARRY	245.43
87.	REYES, RAPHAEL	4,666.24
88.	RINCON, FRANK	10,181.81
89.	RIOS, JUAN	218.95
90.	RODRIGUEZ, DENNIS C.	1,674.73
91.	RODRIGUEZ, MICHAEL A.	262.74
92.	ROJAS, DAVID	41.24
93.	SALAME, JOSE A.	302.46
94.	SANCHEZ, RUBEN	218.95
95.	SANDOVAL, JOHN M.	545.35
96.	SAN MIGUEL, ANTHONY	533.63
97.	SANTOS, ROGER	3,962.03
98.	SCOTT, KEVIN P.	77.40
99.	SCOTT, ROBERT B.	12,339.77
100.	SILVA, CRESENCIO III	108.97
101.	SOLIS, CRUZ JR.	961.36

102. STEELE, CHRISTOPHER	1,871.28
103. SUTHER, GEORGE	12,970.66
104. THOMPSON, THOMAS N.	408.88
105. TORRES, RAYMOND	463.87
106. URIBE, LAURO I.	262.74
107. VALLEJO, LINO R.	104.38
108. VARELAS, CHRIS	156.83
109. VILLARREAL, JR., ARTHUR	175.16
110. WALKER, JAMES	6,922.98
111. WILBORN, ROY	383.42
112. WILLIS, DAVID B.	354.91
113. WUESTE, JAMES G.	613.07
114. YBARRA, MICHAEL	477.11
115. ZALESKY, LEE	262.74
116. ZOROLA, JR., JOHN	77.40

AMENDMENT TO ARTICLE XXXI, SECTION 1.B
COLLECTIVE BARGAINING CONTRACT
BETWEEN THE CITY OF SAN ANTONIO AND
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 624

Article XXXI, Section 1.B is amended to read as follows:

B. Eligibility -

1. Fire promotional examinations shall be open to all Fire Fighters who have held a classified position with the San Antonio Fire Department for two (2) continuous years or more, immediately below that rank for which the examination is to be held. Fire Fighters who receive a retroactive promotion will be entitled to use the retroactive promotion date for purposes of determining eligibility to take future promotional examinations.
2. The two (2) year continuous period required for eligibility to take the promotional examination for the rank of Fire Engineer shall commence with the date the Fire Fighter entered the Fire Academy.
3. In the event the scheduling of a promotional examination is prior to the ninetieth (90th) day of the vacancy, any Fire Fighter that would become eligible for such exam if it was given on the ninetieth (90th) day would be allowed to take such exam. For the purposes of calculating the ninetieth (90th) day, day one (1) begins from the first day of vacancy. Such Fire Fighter will also need to have met the criteria for eligibility for such exam as if it were given on the ninetieth (90th) day.

CITY OF SAN ANTONIO

CITY ATTORNEY'S OFFICE

Interdepartment Correspondence Sheet

TO: City Council through City Manager

FROM: City Attorney's Office

COPIES TO: Fire Chief Robert Ojeda, Nora Chavez, Finance; George K. Noe, Management Services

SUBJECT: SETTLEMENT OF CAUSE NO. 90-CI-10130--TY SIEBERT ET. AL. V. CITY OF SAN ANTONIO

DATE: November 12, 1993

SUMMARY:

In this second suit by firefighters arising out of the 1986 civilianization of firefighters positions in Fire Prevention, Fire Alarm and EMS Dispatch, 119 firefighter sought retroactive promotions, benefits and backpay in the approximate amount of \$455,579.00 plus prejudgment interest, attorneys fees and court costs. As a result of the first lawsuit, Cause No. 87-CI-3298 IAFF Local 624 et. al. vs. City of San Antonio, these positions were held by the Court of Appeals to be positions which had to be filled by sworn firefighters and that the City should have created 3 Fire Captains and 6 Fire Lieutenants positions to replace those positions transferred from Fire Prevention. Accordingly, this second suit settles the claims of Fire Lieutenants who claim they should have been promoted to Fire Captain in 1987 and those firefighters who claim resulting promotions following the Fire Captains and Fire Lieutenants promotions. It is recommended that all backpay, interest and other monetary claims be settled in the amount of \$235,000.00 (Attachment B).

Plaintiff also sought retroactive seniority to the dates they would have been promoted had the fire prevention positions not been filled by civilians (Attachment A). Plaintiffs however also sought retroactive eligibility for future promotional examinations which under the terms the Promotions Article XXXI, of the 1988-1992 Collective Bargaining Agreement with IAFF Local 624 requires 2 years actual service in the next lower rank. This is confirmed in paragraph 14 of the Letter of Mutual Intent to the Agreement. Article XXXVI of the Collective Bargaining Agreement provides that the Agreement can be amended by mutual consent of the Parties. This Amendment (Attachment C) would

November 12, 1993

amend the Contract consistent with the retroactive seniority date and practice in the Police Department. The Union membership have approved the amendment.

Finally, this Ordinance provides funds and amends the FY 93-94 Fire Department budget for three (3) Fire Captains positions pursuant to the Court of Appeals Decision in the first civilianization lawsuit, Cause No. 87-CI-3298, International Association of Firefighters Local 624 et. al. vs. City of San Antonio. In the Court of Appeals decision, the Court found the City illegally abolished 3 Fire Captains positions in Fire Prevention when it transferred these 3 Captains positions to the new fire stations opened in 1987. As a result, the City should have created 3 additional Fire Captains positions for the new fire stations. These captains positions are incidental to the settlement of this second lawsuit which determines which Fire Lieutenants would have been promoted to Fire Captain and their seniority dates.

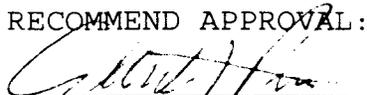
POLICY ANALYSIS:

This action is consistent with City policy of settling claims and lawsuits when it is in the best interest of the City to do so.

FISCAL ANALYSIS:

This ordinance authorizes payment to settle all claims in the amount of \$235,000.00 and the additional amount for pension contributions of \$48,280.00. Funds are provided in the FY 93-94 the General Fund Budget in the amount of \$84,963.00 to fund the three Fire Captains positions.

RECOMMEND APPROVAL:


Alberto J. Pena
Assistant City Attorney


Robert Ojeda, Fire Chief


Nora W. Chavez, Director
Finance Department


George K. Noe, Director
Management Services

APPROVED:


Lloyd Garza
City Attorney


Alexander E. Briseno
City Manager

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO	For CMO use only
Approval		Request For Ordinance/Resolution	Date Considered Consent <input type="checkbox"/> Individual <input type="checkbox"/> Item No. Ord. No.
Finance	Budget		
Legal	Coordinator		

Date:	11/12/93	Department:	Legal	Contact Person/Phone #	Alberto J. Pena (8940)
Date Council Consideration Requested:	11-23-93	Deadline for Action:		Dept. Head Signature:	<i>Tom Gentry</i>

SUMMARY OF ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 90-CI-10130, SIEBERT ET AL. VS . CITY OF SAN ANTONIO: AUTHORIZING PAYMENT OF BACKPAY IN THE AMOUNT OF \$235,000.00 AND PENSION CONTRIBUTIONS IN THE AMOUNT OF \$48,280.00; APPROVING AN AMENDMENT TO THE PROMOTIONS ARTICLE XXXI OF THE COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 624, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS' TO PROVIDE ELIGIBILITY FOR PROMOTIONAL EXAMINATION BASED ON RETROACTIVE SENIORITY: AUTHORIZING THREE FIRE CAPTAIN POSITIONS AND PROVIDING FUNDS THEREFOR IN THE AMOUNT OF \$84,963.00; AND DECLARING AN EMERGENCY.

Council Memorandum Must Be Attached To Original

Other Depts., Boards, Committees Involved (please specify):
 Fire Department, Management Services, Finance Department

Contract signed by other party
 Yes No

FISCAL DATA (If Applicable)	Budgetary Implications
Fund No. _____ Amt. Expended _____	Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No. _____ SID No. _____	Positions Currently Authorized
Index Code _____ Project No. _____	Impact on future O & M _____
Object Code _____	If positions added, specify class and no.
Comments:	_____ _____ _____

Coordinator — White
 Legal — Green
 Budget — Canary
 Finance — Pink
 Originator — Gold