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AN ORDINANCE

REJECTING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT APPROVED BY SAN ANTONIO POLICE OFFICERS' ASSOCIATION BY THE VOTE OF ITS MEMBERS ON JANUARY 7, 8, AND 9, 2003.

WHEREAS, the City of San Antonio ("City") and the San Antonio Police Officers' Association ("SAPOA") commenced negotiating a collective bargaining agreement in August, 2002; and

WHEREAS, the SAPOA called an impasse on October 1, 2002 and the parties proceeded to mediation; and

WHEREAS, through mediation, the parties were able to reach a Tentative Agreement on December 23, 2002; and

WHEREAS, the members of the SAPOA ratified the proposed Agreement by a vote of 66% in favor, during a vote that took place on January 7, 8, and 9, 2003;

WHEREAS, on or about December 30, 2002, the City Clerk of the City of San Antonio was served with a lawsuit by 67 members of the San Antonio Police Department alleging that the City violated the Fair Labor Standards Act ("FLSA") and the Texas Local Government Code, Chapter 142, regarding requirements to pay straight time and overtime; and

WHEREAS, the City felt it prudent to address any and all necessary issues to prevent any future claims of FLSA violations, and reopened negotiations with the SAPOA; and

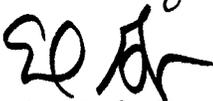
WHEREAS, on January 30, 2003, City Council passed Resolution 2003-04-05 whereby it expressed its intent to adopt the Tentative Collective Bargaining Agreement reached with SAPOA provided certain amendments necessary to address future FLSA exposure were adopted by the parties through a Tentative Agreement; and

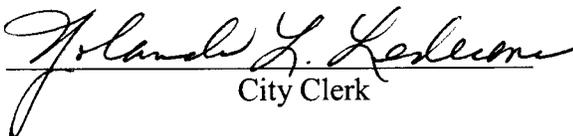
WHEREAS, the parties have continued to meet in an attempt to resolve the issues regarding future FLSA exposure but have been unable to agree to any of the amendments necessary; **NOW THEREFORE:**

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

That the tentative collective bargaining agreement reached between the City of San Antonio, Texas and the San Antonio Police Offices' Association, a copy of which is attached hereto as Attachment I, is hereby rejected.

PASSED AND APPROVED this 20th day of February 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney