

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, GRANTING RECOGNITION OF THE BRYAN FIREFIGHTERS ASSOCIATION, LOCAL 1204 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), AS THE SOLE AND EXCLUSIVE BARGAINING AGENT FOR ALL FIREFIGHTERS EMPLOYED BY THE CITY OF BRYAN, TEXAS, EXCLUDING THE HEAD OF THE FIRE DEPARTMENT (E.G., FIRE CHIEF) AND EXCLUDING EMPLOYEES OF THE BRYAN FIRE DEPARTMENT EXEMPT UNDER SECTION 142.108(B) OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 30, 2016, pursuant to Section 142.103 of the Texas Local Government Code, the City of Bryan, Texas (“City”), received a petition requesting recognition of the Bryan Firefighters Association, Local 1204 of the International Association of Firefighters (IAFF) (hereinafter the “Association”), as the sole and exclusive bargaining agent for all City firefighters, excluding the head of the fire department (e.g., fire chief) and excluding employees of the Bryan Fire Department exempt under Section 142.108(b) of the Texas Local Government Code ( hereinafter, collectively referred to as the “City’s Non-Exempt Firefighters”); and

**WHEREAS**, the Association claims to represent the majority of City of Bryan firefighters who expressed support of the Association’s petition to the City as aforementioned in the petition dated August 30, 2016; and

**WHEREAS**, the Association has pledged to support the service and mission of the City of Bryan Fire Department and to abide by the statutory imposed restrictions as enumerated in Chapter 142 of the Texas Local Government Code, including a no strike provision; and

**WHEREAS**, Texas Local Government Code, Chapter 142, Subchapter C (Local Control of Firefighter Employment Matters in Certain Municipalities) provides certain local governments, including the City of Bryan, the ability to exclusively recognize a firefighter association as the sole and exclusive bargaining agent for the City’s Non-Exempt Firefighters; and to meet-and-confer with the association on employment issues; and

**WHEREAS**, the City voluntarily endorses the practices and procedures of the State statutory meet-and-confer process as an orderly way of conducting its relationship with its firefighters, insofar as such practices and procedures are appropriate to the functions and obligations of the City to retain the rights to operate the City government effectively in a responsible and efficient manner; and

**WHEREAS**, the City in no manner – expressed or implied – relinquishes local control of management practices and decisions or City Council authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

**SECTION 1.**

That the City Council hereby recognizes the Association as the sole and exclusive bargaining agent for the City’s Non-Exempt Firefighters in accordance with and pursuant to Chapter 142, Subchapter C of the Texas Local Government Code.

**SECTION 2.**

This recognition is not intended to deny local control by the City nor restrict or diminish management rights of the City.

**SECTION 3.**

This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

**APPROVED AND ADOPTED** by the City Council of the City of Bryan this 13<sup>th</sup> day of September, 2016.

**ATTEST:**

**CITY OF BRYAN:**

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Mary Lynne Stratta, City Secretary

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Jason P. Bienski, Mayor

**APPROVED AS TO FORM:**

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Janis K. Hampton, City Attorney