

**RESOLUTION NO. 2018 - \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS, GRANTING RECOGNITION OF THE NEW BRAUNFELS PROFESSIONAL FIRE FIGHTERS ASSOCIATION, LOCAL 3845 OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AS THE SOLE AND EXCLUSIVE BARGAINING AGENT FOR ALL FIREFIGHTERS EMPLOYED BY THE CITY OF NEW BRAUNFELS, TEXAS, EXCLUDING THE FIRE CHIEF AND ASSISTANT FIRE CHIEF, AND EXCLUDING EMPLOYEES OF THE NEW BRAUNFELS FIRE DEPARTMENT EXEMPT UNDER SECTION 142.108 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on April 25, 2018, pursuant to Section 142.103 of the Texas Local Government Code, the City of New Braunfels, Texas (“City”), received a petition requesting recognition of the New Braunfels Professional Fire Fighters Association, Local 3845 of the International Association of Fire Fighters, (hereinafter referred to as the “New Braunfels Professional Fire Fighters Association” or “Association”), as the sole and exclusive bargaining agent for all municipal firefighters, excluding the Fire Chief and the Assistant Chief who are excluded under Section 142.103 and Section 142.108(b) of the Texas Local Government Code (hereinafter collectively referred to as the Covered Firefighters); and

**WHEREAS**, the New Braunfels Professional Fire Fighters Association, claims to represent the majority of the City of New Braunfels covered firefighters, who expressed support of the petition to the City as aforementioned in the petition dated April 25, 2018; and

**WHEREAS**, the New Braunfels Professional Fire Fighters Association has pledged to support the service and mission of the City of New Braunfels Fire Department and to abide by the statutorily imposed restrictions as enumerated in Chapter 142 of the Texas Local Government Code, including a no strike provision in Section 142.107; 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 New Braunfels, the ability to exclusively recognize a firefighters association as the sole and exclusive bargaining agent for the City’s covered firefighters; and to meet-and-confer with the Association on employment issues; and

**WHEREAS**, by adopting this resolution the City in no manner 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 NEW BRAUNFELS, TEXAS:**

**SECTION 1.**

That the City Council hereby recognizes the New Braunfels Professional Fire Fighters Association as the sole and exclusive bargaining agent for the City’s covered firefighters in accordance with and pursuant to Chapter 142, Subchapter C of the 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.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Barron Casteel, Mayor

ATTEST:

\_\_\_\_\_  
Patrick Aten, City Secretary