

RESOLUTION NO. _____

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ACCEPTING THE PETITION OF ALLEN FIREFIGHTERS ASSOCIATION, IAFF LOCAL 3453 (“ASSOCIATION”) REQUESTING RECOGNITION AS THE SOLE AND EXCLUSIVE BARGAINING AGENT FOR THE CITY OF ALLEN FIREFIGHTERS; DEFERING RECOGNITION OF THE ASSOCIATION AND ORDER AN ELECTION BY THE VOTERS IN THE CITY UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 142.105 REGARDING WHETHER THHE CITY MAY MEET AND CONFER UNDER SUBCHAPTER C, CHAPTER 142 TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 1, 2019, the City Secretary received a petition (“Petition”) submitted by Allen Firefighters Association, IAFF Local 3453 requesting recognition as the sole and exclusive bargaining agent for the covered firefighters employed by the Allen Fire Department located in Allen, Texas for the purposes of “meet and confer” with the City of Allen, Texas (“Petition”); and,

WHEREAS, Texas Local Government Code Section 142.103 (a) (2) allows the City Council to defer recognizing the Association and order an election by the voters under Texas Local Government Code Section 142.105; and,

WHEREAS, the City Council desires to defer recognizing the Association and to order an election by the voters under Texas Local Government Code Section 142.105 to determine whether City may meet and confer under Subchapter C, Chapter 142 Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. An election is hereby ordered for May 2, 2020, to be held jointly with the City Municipal Officers election, under Texas Local Government Code Section 142.105 for the voters of the City to determine whether City may meet and confer under Subchapter C, Chapter 142 Texas Local Government Code for the hereinafter proposition.

SECTION 2. Notice of the Election shall be posted on the bulletin board used to post notice of the City Council meetings, the City’s website and be published in a newspaper of general circulation in the City. That said notice must be published at least once, not earlier than the 30th day nor later than the 10th day, before Election Day as provided in Section 4.003(a)(1) of the Texas Election Code. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record of the time of posting, starting date, and the place of posting.

SECTION 3. The election shall be conducted in accordance with a contract between the City of Allen and the Collin County Elections Department (“the Election Contract”), for the general election to be held on May 2, 2020.

SECTION 4. The City Secretary shall present the Election returns to the City of Allen City Council at a City Council meeting for the canvassing of said election in accordance with the Texas Election Code.

SECTION 5. The ballot for the election shall be printed to allow voting for or against the following proposition:

"Authorizing the City of Allen, Collin County, Texas to operate under the state law allowing a municipality to meet and confer and make agreements with the association representing municipal firefighters as provided by state law, preserving the prohibition against strikes and organized work stoppages, and providing penalties for strikes and organized work stoppages."

SECTION 6. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 7. This Resolution shall take effect immediately from and after its adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 26TH DAY OF FEBRUARY 2019.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY
(PGS:2-22-19:TM 106353)