

# MIAMI BEACH

## City Commission Meeting SUPPLEMENTAL MATERIAL 6

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
July 17, 2013

Mayor Matti Herrera Bower  
Vice-Mayor Edward L. Tobin  
Commissioner Jorge R. Exposito  
Commissioner Michael Góngora  
Commissioner Jerry Libbin  
Commissioner Deede Weithorn  
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales  
City Attorney Jose Smith  
City Clerk Rafael E. Granado

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### ATTENTION ALL LOBBYISTS

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

### SUPPLEMENTAL AGENDA

#### R7 - Resolutions

R7R A Resolution Ratifying A Three Year Labor Agreement Between The City Of Miami Beach And The Fraternal Order Of Police, William Nichols Lodge No. 8 (FOP), For The Period From October 1, 2012 Through September 30, 2015; Authorizing The Mayor And City Clerk To Execute The Agreement.

(Human Resources)

**(FOP Collective Bargaining Agreement Supplemental Document & Resolution)**

R7S A Resolution Ratifying A Three-Year Labor Agreement Between The City Of Miami Beach And The International Association Of Fire Fighters (IAFF), Local 1510; For The Period From October 1, 2012 Through September 30, 2015; Authorizing The Mayor And City Clerk To Execute The Agreement.

(Human Resources)

**(Resolution)**

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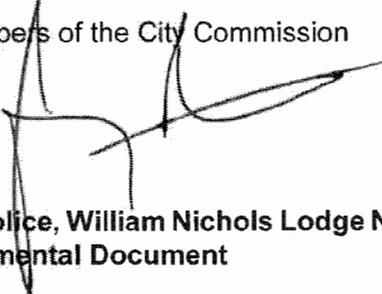


# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Mattie H. Bower and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: July 18, 2013

SUBJECT: **2012-2015 Fraternal Order of Police, William Nichols Lodge No. 8, Collective Bargaining Agreement Supplemental Document**

For the July 17, 2013, Commission meeting agenda the Administration submitted for your review the tentatively agreed to collective bargaining agreement with the Fraternal Order of Police, William Nichols Lodge No. 8, for the period covering October 1, 2012 through September 30, 2015.

Since then, the Administration has had an opportunity to review the language and recommends the following material changes to the tentative agreement reached with the Fraternal Order of Police. (Attached supplemental document.)

Please let me know if you have any questions.

JLM/KGB/SC-T

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Agenda Item R7R  
Date 7-17-13

**Fraternal Order of Police** – Yellow highlights (additions and deletions) indicate material changes to the initially proposed language (provided to the Commission for Executive Session on July 17, 2013)

**Section 8.1921 – Quality of Life** (pages 20-21)

The City agrees to continue a Quality of Life Program. The Quality of Life supplement pay shall be \$67.00 per pay period for those employees participating in the program, until the first full pay period beginning after October 1, 2014, when the supplement shall decrease to \$26.00 per pay period for those employees participating in the program. Effective September 30, 2015, the supplement pay shall decrease further to \$25.00 per pay period for all those employees participating in the program.

**Section 8.23 – Pension** (page 27)

G. Pension benefits for employees hired after ratification of this collective bargaining agreement (excluding new hires currently in the recruitment process):

7. Employees shall no longer be able to apply overtime, off-duty or any other pensionable earnings for the purposes of calculating a member's retirement benefit that yields a benefit in excess of eleven percent (11%) of their salary at the time of retirement.

**Section 16.6 – Education Points** (page 46)

- a) 0.02 points shall be added to an employee's Sergeant's passing examination score for each completed credit of post secondary education from an accredited institution of higher learning.
- b) 0.02 points shall be added to an employee's Lieutenant's passing examination score for each completed credit of post secondary education from an accredited institution of higher learning.

No combination of seniority and/or education points shall exceed six (6) points per employee.

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA RATIFYING A THREE YEAR LABOR AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP), FOR THE PERIOD FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2015; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.**

**WHEREAS**, the City is hereby submitting to the Mayor and City Commission the attached tentative Labor Agreement, recently negotiated between the City and the Fraternal Order of Police, William Nichols Lodge No. 8 (FOP), for the employees covered by said Agreement for the period covering October 1, 2012 through September 30, 2015; and

**WHEREAS**, the previous Labor Agreement was for a three year period from October 1, 2009, through September 30, 2012; and

**WHEREAS**, Exhibit A to the resolution is a copy of the contract language changes in substantial form that reflects the pension and economic issues and the non-economic issues tentatively agreed to between the City and the FOP; and

**WHEREAS**, any changes to the substantial form would be non-material in nature as determined by the City Attorney and the FOP or else would require re-ratification by the City Commission and FOP;

**WHEREAS**, the full text of the collective bargaining agreement has not yet been completed; and

**WHEREAS**, the FOP bargaining unit has not scheduled the ratification vote among its members for the proposed Labor Agreement attached.

**WHEREAS**, since the outcome of the ratification vote will not be made available in time, the results will be provided to the City Commission under a supplemental memorandum; and

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, hereby approving and authorizing the Administration to amend the three (3) year labor Agreement with the FOP, Williams Nichol Lodge No. 8. (attached as Exhibit A) for the time period covering October 1, 2012 through September 30, 2015, contingent on any changes being non-material and upon ratification by the FOP bargaining unit.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

\_\_\_\_\_  
RAFAEL GRANADO  
CITY CLERK

\_\_\_\_\_  
**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

\_\_\_\_\_  
MATTIE HERRERA BOWER  
MAYOR

*Dandy P...*  
\_\_\_\_\_  
City Attorney                      Date

# Bryant Miller Olive

Attorneys at Law  
One Biscayne Tower  
2 South Biscayne Boulevard  
Suite 1480  
Miami, FL 33131  
Tel 305.374.7349  
Fax 305.374.0895  
www.bmolaw.com

July 17, 2013

Jose Smith, Esquire  
City Attorney  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

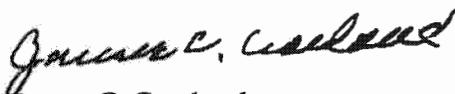
**Re: City of Miami Beach and FOP  
Tentative Collective Bargaining Agreement  
October 1, 2012 – September 30, 2015**

Dear Mr. Smith:

As requested, I have reviewed the tentative collective bargaining agreement between the City of Miami Beach and FOP for the period October 1, 2012 – September 30, 2015. Based on this review, this is to notify you that I approve the agreement as to form and legality.

Very Truly Yours,

**BRYANT MILLER OLIVE**

  
James C. Crosland

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA RATIFYING A THREE YEAR LABOR AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, (IAFF), LOCAL 1510; FOR THE PERIOD FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2015; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.**

**WHEREAS**, the City is hereby submitting to the Mayor and City Commission the attached tentative Labor Agreement, recently negotiated between the City and the International Association of Fire Fighters, (IAFF), Local 1510, for the employees covered by said Agreement for the period covering October 1, 2012 through September 30, 2015; and

**WHEREAS**, the previous Labor Agreement was for a three year period from October 1, 2009, through September 30, 2012; and

**WHEREAS**, Exhibit A to the resolution is a copy of the contract language changes in substantial form that reflects the pension and economic issues and the non-economic issues tentatively agreed to between the City and the IAFF; and

**WHEREAS**, any changes to the substantial form would be non-material in nature as determined by the City Attorney and the IAFF or else would require re-ratification by the City Commission and the IAFF;

**WHEREAS**, the full text of the collective bargaining agreement has not yet been completed; and

**WHEREAS**, the IAFF bargaining unit has not scheduled the ratification vote among its members for the proposed Labor Agreement attached.

**WHEREAS**, since the outcome of the ratification vote will not be made available in time, the results will be provided to the City Commission under a supplemental memorandum; and

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, hereby approving and authorizing the Administration to amend the three (3) year labor Agreement with the IAFF, Local 1510, (provided in Exhibit A), for the time period covering October 1, 2012 through September 30, 2015, contingent on any changes being non-material and upon ratification by the IAFF bargaining unit.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

\_\_\_\_\_  
RAFAEL GRANADO  
CITY CLERK

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

\_\_\_\_\_  
MATTIE HERRERA BOWER  
MAYOR

  
\_\_\_\_\_  
City Attorney

7/17/13  
\_\_\_\_\_  
Date

Agenda Item R7S  
Date 7-17-13

July 17, 2013

Jose Smith, Esquire  
City Attorney  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

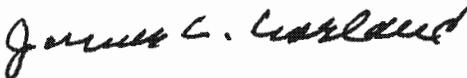
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Dear Mr. Smith:

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Very Truly Yours,

**BRYANT MILLER OLIVE**

  
James C. Crosland