

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2024-266

A RESOLUTION OF THE CITY COMMISSION DIRECTING CITY STAFF TO INCLUDE FUNDING FOR POTENTIAL COST OF LIVING INCREASE (COLA) FOR MEMBERS OF THE CLASS IN MURREE V. CITY OF CORAL GABLES (TREATING GAP AND OPT-OUTS IN THE SAME FASHION) UNDER THE ALTERNATIVE DISPUTE RESOLUTION MECHANISM ESTABLISHED IN ORDINANCE NOS. 2018-11, 2018-25, AND 2018-35.

WHEREAS, on February 26, 2018, the Circuit Court in and for Miami-Dade County, Florida entered a Final Judgment approving a Class Action Settlement Agreement (“Settlement Agreement”) in Murree v. City of Coral Gables, Case No. 13-20731 CA (13) (Fla. 11th Cir. Ct.); and

WHEREAS, in accordance with the Settlement Agreement, in Ordinance No. 2018-11 (the “Ordinance”), Section 46-253 of the City Code was amended to include the terms of the settlement agreement which include the Alternative Dispute Resolution Mechanism (“ADRM”) for determination of future cost of living increases (“COLAs”); and

WHEREAS, on July 10, 2018, the City Commission adopted Ordinance No. 2018-25 establishing that GAP employees (current and former city employees who retired, entered the DROP, or reached eligibility for normal retirement after January 1, 2013 but before the February 2015 Retirement Plan Amendment) were to be treated in the same fashion as class members; and

WHEREAS, on September 11, 2018, the City Commission adopted Ordinance No. 2018-35 establishing that opt-outs (former city employees who opted out of the class) were to be treated in the same fashion as class members; and

WHEREAS, the ADRM allows the City Commission, after a hearing, by supermajority four-fifths (4/5) vote, to reject the Retirement Board’s determination that class members are entitled to a COLA or reduce the amount of the proposed COLA, considering certain factors set forth in the Settlement Agreement; and

WHEREAS, the City Commission would like staff to plan, during the budgeting process, for funding to be used towards the cost of a potential COLA if such a COLA is determined during the ADRM process set forth in the Settlement Agreement and Ordinance and without in any way limiting the City Commission’s authority to reject the Retirement Board’s determination that class members are entitled to a COLA or reduce

the amount of the proposed COLA, by a supermajority four-fifths vote, considering the factors in the Settlement Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

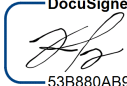
SECTION 2. That, the City Commission directs City staff to include funding for a potential COLA for members of the class in Murrhee v. City of Coral Gables, Case No. 13-20731 CA (13) (Fla. 11th Cir. Ct.) (and treating GAP and Opt-Outs in the same fashion) under the ADRM established in the Settlement Agreement and Ordinance. Notwithstanding such budgeting or funding, the City Commission retains all authority under the ADRM, including the ability to reject the Retirement Board’s determination that class members are entitled to a COLA or reduce the amount of the proposed COLA, considering certain factors set forth in the Settlement Agreement.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

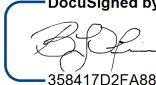
PASSED AND ADOPTED THIS TWELFTH DAY OF NOVEMBER, A.D., 2024.

(Moved: Anderson / Seconded: Fernandez)
(Yeas: Fernandez, Menendez, Anderson)
(Nays: Castro, Lago)
(Majority: (3-2) Vote)
(Agenda Item: 1-1a)

APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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CRISTINA M. SUÁREZ
CITY ATTORNEY