



City of Coral Gables
City Commission
May 25, 2021

ITEM TITLE:

RESOLUTION. RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, RATIFYING THE ATTACHED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND THE FRATERNAL ORDER OF POLICE, LODGE #7, PROVIDING THE CITY'S POLICE OFFICERS A 1% HAZARD PAY SUPPLEMENT FUNDED BY THE CARES ACT

DEPARTMENT HEAD RECOMMENDATION:

Approval.

BRIEF HISTORY:

The Fraternal Order of Police, Lodge #7 (the "Union"), serves as the exclusive bargaining agent for the City's police officers in the following classifications: police officers, sergeants, and lieutenants. The terms and conditions of employment for the City's police officers are governed by a Collective Bargaining Agreement for the period October 1, 2016 through September 20, 2019 (the "CBA").

The Coronavirus ("COVID-19") is a respiratory illness that has led to a declaration of a public health emergency locally, state-wide and nationally, and has required a considerable expenditure of governmental resources. The federal Coronavirus Aid, Relief, and Economic Security ("CARES") Act was passed in March 2020 which, among other things, appropriated federal monies for local units of governments to cover expenditures incurred due to the COVID-19 pandemic. The CARES Act specifically appropriated federal monies to Miami-Dade County (the "County") to mitigate the economic impact of COVID-19.

On July 27, 2020, the County approved the disbursement of federal monies to municipalities within its geographic region to provide what the County referred to as a one percent (1%) hazardous pay supplement or the "1% Hazard Pay" to police officers in recognition of their tireless work during the pandemic despite the health risk and exposure for work performed between March 1, 2020 through December 30, 2020 (the "2020 Relevant Period").

The City and the Union entered into a Memorandum of Understanding on or about November 17, 2020 (the "Original MOU"), that provided the 1% Hazard Pay to the City's police officers in the following classifications: police officers, police sergeants and police lieutenants. In accordance with the Original MOU, the City paid the 1% Hazard Pay to its police officers for work performed during the 2020 Relevant Period.

On December 27, 2020, President Donald Trump signed into law H.R. 133, the Consolidated Appropriations Act, 2021 (the "Act"), a \$2.3 trillion spending bill that combined \$900 billion in stimulus relief for the COVID-19 pandemic in the United States with a \$1.4 trillion omnibus spending bill for the 2021 federal fiscal year. Although the Act did not provide any new direct aid to state and local governments and did not change the rules governing allowable use of funds under the CARES Act, the CARES Act did extend the deadline by which expenditures under the CARES Act must be incurred from December 30, 2020 to December 31, 2021. Accordingly, the County amended its Resolution No. R-1231-20 to allow any municipalities that received CARES Act funds from the County for COVID-19 pandemic response until September 30, 2021 to expend such funds.

The City has eligible CARES Act funds that were allocated to pay the 1% Hazard Pay that it can now use to pay the 1% Hazard Pay for work performed from December 31, 2020 through September 30, 2021 or until those funds are depleted, whichever comes first. State law mandates that any adjustment to wages requires mutual agreement between the City and the Union.

ATTACHMENT(S):

- 1. Draft Resolution**
- 2. Draft MOU between the City and Fraternal Order of Police, Lodge #7**