

**City of Coral Gables City Commission Meeting
Commission Chambers
Agenda Items F-1 and I-3 are related
October 13, 2020
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Labor Relations Liaison, Raquel Elejabarrieta**

Public Speaker(s)

Javier Banos

Agenda Item F-1 and I-3 are related [10:49 a.m.]

Emergency Ordinance

F-1: An Emergency Ordinance amending Chapter 46 of the “Code of the City of Coral Gables,” entitled “Pensions,” implementing provisions of the 2020-21 Collective Bargaining Agreement between the City and the Teamsters, amending Section 46-29, City Contributions; and providing for severability clause, repealer provision, codification and providing for an effective date.

I-3: A Resolution of the City Commission of Coral Gables, Florida, with attachments, rarifying the Collective Bargaining Agreement between the City of Coral Gables and the Teamsters, Local 769, affiliated with the International Brotherhood of Teamsters, for the period of October 1, 2020 through September 30, 2021.

Mayor Valdes-Fauli: Next item Emergency Ordinance, I-3 has to be taken up first, I’m told, I-3. Madam City Attorney would you like to.

City Attorney Ramos: Yes sir. I-3 is a Resolution of the City Commission of Coral Gables, Florida, with attachments, rarifying the Collective Bargaining Agreement between the City of Coral Gables and the Teamsters, Local 769, affiliated with the International Brotherhood of Teamsters, for the period of October 1, 2020 through September 30, 2021.

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Labor Relations Liaison Elejabarrieta: Good morning Mayor, before you is a ratification of a one-year successor agreement between the City and the Teamsters. In essence, in summary it keeps the status quo of the contract for another year. It keeps the employee contribution into the pension plan at 13 and-a-half percent, and it gives a pre-tax medical stipend for those who have dependent health care coverage to offset the increase in cost.

Mayor Valdes-Fauli: Do I hear a motion?

City Clerk Urquia: Mr. Mayor, prior to taking the vote you do have a speaker from the public.

Mayor Valdes-Fauli: Okay. Speaker from the public, I'm sorry. Good morning.

David Renshaw: David Renshaw, Teamsters Local 769; 12365 West Dixie Highway, North Miami, Florida. Mayor, Vice Mayor, and Commissioner body, hello. My name is David Renshaw and I am employed by Teamsters Local 769 in Miami, Florida. Teamsters currently represents proudly the general employees at City of Coral Gables, that is correct sir. I would like to take a moment to recognize all of the bargaining unit members for their due diligent work, especially during these times. Of a new work environment under the new guidelines that we've been provided with Covid, they collectively need to be appreciated and recognized for all of their efforts. The parties have obtained a tentative agreement and has been ratified by the rank and file. There are some employees that do wish and state that City of Coral Gables could have done more during these pandemic times. However, we did obtain a ratified agreement between the parties. We the parties have and will commence bargaining early part of next year and on behalf of myself and the Local and the employees and the members that I represent, we will work due diligently on their behalf and on behalf of the City as well. Again, thank you for your time and your opportunity to hear this, David Renshaw, Teamsters Local 769. Thank you.

Mayor Valdes-Fauli: Thank you very much Mr. Renshaw and remember Coral Gables, not Key West (laughter). Thank you, sir. Do I hear a motion?

Commissioner Keon: This is a one-year contract. I'll move it.

Mayor Valdes-Fauli: Second?

Vice Mayor Lago: Second.

Mayor Valdes-Fauli: Will you call the roll please.

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

(Vote: 4-0)

Commissioner Fors: Absent

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Mayor Valdes-Fauli: F-1.

City Attorney Ramos: F-1 is an Emergency Ordinance amending Chapter 46 of the “Code of the City of Coral Gables,” entitled “Pensions,” implementing provisions of the 2020-21 Collective Bargaining Agreement between the City and the Teamsters, amending Section 46-29, City Contributions; and providing for severability clause, repealer provision, codification and providing for an effective date. This is an Emergency Ordinance. It is a public hearing item and must be adopted by a four-fifths vote.

Labor Relations Liaison Elejabarrieta: Good morning Mayor, Commissioners. This ordinance simply implements the pension change in the contract that was just ratified by the Commissioners and it keeps the employee contribution into the pension plan at 13 and-a-half percent for another year.

Mayor Valdes-Fauli: Versus.

Labor Relations Liaison Elejabarrieta: Versus increasing it to 15 percent.

Mayor Valdes-Fauli: Do I hear a motion?

City Clerk Urquia: Mr. Mayor, you have a member of the public through Zoom who would like to speak on this item.

Mayor Valdes-Fauli: Okay.

City Clerk Urquia: Its Mr. Javier Banos.

Mr. Banos: Hello Mr. Mayor and Commissioners. Its unfortunate that you took item I-3 first, because I also had a request to speak on that item. It is part of the typical collective bargaining process to engage in salary increase, etc. The problem that I have with this particular, which is the mode in which its done. So, there is an impact statement that says, there shall be no financial impact on the unfunded liability on the pension or anything of that nature. But what you are doing by virtue of doing this or allowing for this is, once again the employees are having less of an amount of their paycheck put into the plan. Now you could essentially raise everyone half a percentage point. You could just give that increase of salary, that’s perfectly fine to do and perfectly allowable and that is part of what the bargaining unit decide to do, that’s perfectly okay. But the contribution supposed to be 15 percent. We should not be in the habit of having our employee essentially contribute less into the plan. Even though you are not going to have for the next year that many people coming into the city to your budgetary changes. Anyone who comes into the city, we want to encourage them to make sure that they go into a separate non-pension plan, a 401(k) or something of that nature. Well you now have lower of kept lower the amount that is supposed to be in the plan, so now the plan is equally as attractive or could be as attractive. You know, an employee that goes into the plan today is not as expensive as a retiree, essentially a net positive. But ultimately what you end up doing is that that employee eventually becomes a retiree and it increases further our responsibilities to the plan. So, we should not be in the habit from an

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administrative standpoint or even if its just marginally increase of using the amount of the employees have to have been surely put into the plan. Its more difficult to make the change afterwards to move into a 15 percent strategic position. My other point on item I-3, which I would have preferred to have been able to speak prior to you having the vote. There were significant conversations that we had earlier in the year as to disciplined employees, how we go through that whole entire process. Section 6 of that contract gives the employees an entire system in which to run. We have an exemplary workforce; the workforce that we have, especially the Teamsters are an incredible part and valuable part of our city, but if there are bad apples, if we have to discipline a bad apple, we have essentially ship that off to an arbitration system and we have specifically taken our ability to take these items out of the Trial Board, according to Section 615, in case we want to internally handle these matters. So, you have a police contract, as well as...[inaudible]...mirrors this particular language. Next time consider whether or not this is the proper way in which you want to handle any employee grievances, as well as disciplinary matters and this is the best way to do it going forward.

Mayor Valdes-Fauli: Thank you Mr. Banos.

Vice Mayor Lago: Can you do me a favor. Can you discuss a little bit about what Mr. Banos mentioned about employee grievances? Just go a little bit more into detail.

Labor Relations Liaison Elejabarrieta: So, in the collective bargaining agreement for the Teamsters, there is a grievance article, and in that grievance article any employee who is disciplined, so a written reprimand, suspension, demotion or termination, they get to appeal that discipline. And it goes through various steps. So they appeal it, depending on the level of discipline, its appealed to either a supervisor, a department head, and the next step it goes to the City Manager, goes to the City Manager at his level or his designee, and then if its not resolved then they can appeal it to an arbitrator, and then we have an arbitration.

Vice Mayor Lago: So, his concern is just the length of the process and the inability for the city to take immediate action?

Labor Relations Liaison Elejabarrieta: I think his concern, if I understood him correctly is that he would prefer for the employee to go before the Trial Board, I think is what he is, and I don't want to, that's how I understood his comment. So, to handle it internally. So, under the Trial Board in the City Charter, if an employee is demoted or terminated, they would appeal it to a Trial Board. So, in essence, its similar. There will be an appeal process, but it will be before a Trial Board as opposed to before a neutral arbiter.

Mayor Valdes-Fauli: Thank you. Motion has been made and seconded. Will you call the roll?

City Clerk Urquia: Who made the motion?

Commissioner Keon: I did.

Mayor Valdes-Fauli: Commissioner Keon made it and Vice Mayor seconded.
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Commissioner Fors: Yes
Commissioner Keon: Yes
Vice Mayor Lago: Yes
Commissioner Mena: Yes
Mayor Valdes-Fauli: Yes
(Vote: 5-0)

Mayor Valdes-Fauli: Thank you very much.