

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2021-

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

WHEREAS, 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, police sergeants, and police lieutenants; and

WHEREAS, 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"); and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the CARES Act specifically appropriated federal monies to Miami-Dade County (the "County") to mitigate the economic impact of COVID-19; and

WHEREAS, 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 for work performed between March 1, 2020 through December 30, 2020 (the "2020 Relevant Period") in recognition of their tireless work during the pandemic despite the health risk and exposure; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, state law mandates that any adjustment to wages requires mutual agreement between the City and the Union;

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 does hereby approve the attached Memorandum of Understanding between the City of Coral Gables and the Fraternal Order of Police, Lodge #7, in substantial form with the City Manager and City Attorney authorized to make changes consistent with the City Commission's direction, and the same is hereby ratified.

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

PASSED AND ADOPTED THIS 25th DAY OF MAY, A.D., 2021.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY