

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2018-163**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, ACCEPTING THE FINANCE DIRECTOR'S RECOMMENDATION TO REJECT THE RETIREMENT BOARD'S DETERMINATION TO GRANT A COST OF LIVING INCREASE (COLA) TO THE MEMBERS OF THE CLASS IN MURRHEE V. CITY OF CORAL GABLES UNDER THE ALTERNATIVE DISPUTE RESOLUTION MECHANISM ESTABLISHED IN ORDINANCE NO. 2018-11.

**WHEREAS**, on February 26, 2018, the court entered a Final Judgement approving the settlement agreement in Murhee v. City of Coral Gables, Case No. 13-20731 CA (13) (Fla. 11<sup>th</sup> 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); and

**WHEREAS**, the ADRM allows the City Commission, after a hearing, by supermajority 4/5<sup>th</sup> vote, to reject the Retirement Board's determination or reduce the amount of the proposed COLA based on a set of factors; and

**WHEREAS**, on May 17, 2018, the Retirement Board, in accordance with the settlement agreement and the Ordinance, voted to approve a COLA of 2.25% for class members in the Murrhee case for the plan year ending September 30, 2017; and

**WHEREAS**, in accordance with the settlement agreement and the Ordinance and since the net Actuarial Experience is negative, the City Attorney invoked the ADRM within the prescribed time period and requested a hearing before the City Commission within the prescribed time period; and

**WHEREAS**, the City's Finance Director, relying on the factors set forth in the settlement agreement and the Ordinance, presented the City Commission with a memorandum (attached hereto as Exhibit A) recommending that the COLA be rejected; and

**WHEREAS**, the figures relied upon by the Finance Director in coming to her conclusion, were verified by the City's actuary; and

**WHEREAS**, on June 12, 2018, the ADRM hearing was held and all parties wishing to speak were afforded an opportunity to do so.

**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, based on the factors in the settlement agreement and the Ordinance, the Finance Director’s recommendation to reject the Retirement Board’s determination is accepted and the grant of a COLA to the class members be rejected.

**SECTION 3.** A supermajority 4/5<sup>th</sup> vote of the City Commission was required in order to reject the COLA and the City Commission voted unanimously in favor of rejecting the COLA.

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF JUNE, A.D., 2018.

(Moved: Quesada / Seconded: Lago)

(Yeas: Quesada, Keon, Lago, Mena, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: K-2)

APPROVED:



RAÚL VALDÉS-FAULI  
MAYOR

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY

ATTEST:



WALTER J. FOEMAN  
CITY CLERK