

**City of Coral Gables City Commission Meeting  
Agenda Items E-6  
December 8, 2015  
City Commission Chambers  
405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason  
Commissioner Pat Keon  
Commissioner Vince Lago  
Vice Mayor Frank Quesada  
Commissioner Jeannett Slesnick**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark  
City Attorney, Craig E. Leen  
City Clerk, Walter J. Foeman  
Deputy City Clerk, Billy Urquia**

**Public Speaker(s)**

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Agenda Item E-6 [Start: 11:57:08 a.m.]

**Emergency Ordinance**

An Emergency Ordinance of the City of Coral Gables, amending Chapter 50 of the Code of the City of Coral Gables, entitled "Pensions," amending Section 50-26, compulsory participation and providing for a repealer provision, severability clause, codification and providing for an effective date.

Mayor Cason: And E-6 which is related.

City Attorney Leen: Thank you Mr. Mayor. If I could have one moment. Item E-6 is an add-on.

City Manager Swanson-Rivenbark: And as the City Attorney is gathering his information. You have already approved the right for this City to have an option of a 401 for Assistant City

Managers and for Directors. What this ordinance does is allow it also to be for non-represented excluded exempt employees and so go ahead Craig.

City Attorney Leen: So Item E-6 is an Emergency Ordinance. Its an Emergency Ordinance of the City of Coral Gables, amending Chapter 50 of the Code of the City of Coral Gables, entitled “Pensions,” amending Section 50-26, compulsory participation and providing for a repealer provision, severability clause, codification and providing for an effective date. Because this is an Emergency Ordinance it requires a vote of four of you to pass and it waives the publication and Second Reading. And the reason why this is coming before you is because the City is going to be adding an employee who would fall under this provision, if its adopted. What it does is, it allows when an employee comes into the City – right now we are focused on excluded employees, so when an excluded employee comes into the City who is not in the City Manager or City Attorney’s office and is not a Director, so its not an Assistant City Manager or Deputy City Attorney or Director, which right now they have this option, they will also now have the option to choose between a 401(A) and participation in the pension. Right now that option only applies to the Deputy City Attorney, the Assistant City Manager, and Directors. This would be excluded employees as well. In addition, it provides the ability in this ordinance, without coming back to you, to add all of the bargaining units, but only if they agree to that through a memorandum with the City Manager that’s what we are required to do under the collective bargaining laws. So with that, Madam Manager do you have anything further?

City Manager Swanson-Rivenbark: This becomes important because we believe the way the IRS is interpreting it, if you have a current contribution of a certain amount you have to keep that contribution if you migrate to a 401. Having a new employee come in under a pension and then with the hopes of it migrating to a 401, it impacts that recruitment process. We are also working on those employees that are within the system that would like to migrate, it’s a much more complicated issue, but new employees not at the Director level, not at the Assistant City Manager level or Deputy City Attorney level that would like to come in as their election a 401 as opposed to a pension – yes Vice Mayor, this is positive long term for the unfunded then we want to provide them that opportunity.

Mayor Cason: OK. Do we have any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: Close the public hearing.

Vice Mayor Quesada: Close the public hearing.

Mayor Cason: Vice Mayor makes the motion – second?

City Attorney Leen: Mr. Mayor there will need to be two votes. I know the City Clerk is going to tell us.

Mayor Cason: Second?

Commissioner Keon: I think Jeannett seconded it.

Mayor Cason: Jeannett Slesnick is the second. City Clerk.

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Mayor Cason: Yes

(Vote: 5-0)

City Clerk Foeman: Second roll call.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)