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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(18)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: February 3, 2015

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution directing the Mayor to continuously monitor the County's finances to identify additional revenue that may be used to fund the restoration of compensation and benefits to non-bargaining unit County employees under the Mayor's purview for fiscal year 2014-15
Resolution No. R-138-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 3, 2015

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Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
2-3-15

RESOLUTION NO. R-138-15

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO CONTINUOUSLY MONITOR THE COUNTY'S FINANCES TO IDENTIFY ADDITIONAL REVENUE THAT MAY BE USED TO FUND THE RESTORATION OF COMPENSATION AND BENEFITS TO NON-BARGAINING UNIT COUNTY EMPLOYEES UNDER THE MAYOR'S PURVIEW FOR FISCAL YEAR 2014-15, INCLUDING PREMIUM, FLEX, LONGEVITY AND MERIT PAY, AND TO SUBMIT WRITTEN REPORTS TO THE BOARD REGARDING THE STATUS OF SUCH ADDITIONAL REVENUE

WHEREAS, approximately 2,000 of the County's employees under the purview of the Mayor are non-bargaining unit employees; and

WHEREAS, unlike bargaining unit employees whose compensation and benefits are governed by the County's Pay Plan and provisions of their respective collective bargaining agreements, certain elements of the compensation and benefits of the County's non-bargaining unit employees under the Mayor's purview are at the discretion of the Mayor in accordance with the County's Pay Plan; and

WHEREAS, currently the County's bargaining unit employees are receiving compensation and certain benefits, such as premium, flex, longevity and merit pay, that are not received by the non-bargaining unit employees under the Mayor's purview; and

WHEREAS, the total cost of restoration of such compensation and benefits to the non-bargaining unit employees under the purview of the Mayor for fiscal year 2014-15 is approximately $6.5 million, which includes $3.4 million that is attributable to general fund supported departments; and

WHEREAS, the $6.5 million cost to restore the compensation and benefits to the non-bargaining unit employees under the purview of the Mayor for fiscal year 2014-15 is currently unfunded; and

WHEREAS, the $3.4 million cost attributable to the general fund supported departments to restore the compensation and benefits to the non-bargaining unit employees under the purview of the Mayor is comprised of the following: premium pay (approximately $900,000), flex pay (approximately $700,000), merit (approximately $950,000), and longevity (approximately $850,000) (collectively, referred to as "Unfunded Compensation and Benefits"); and

WHEREAS, this Board desires to direct the Mayor or designee to continuously monitor the County's finances to identify additional revenue that may be used to fund the restoration of any one or all of the Unfunded Compensation and Benefits retroactively to October 1, 2014 or for the remainder of fiscal year 2014-15 and to report to this Board regarding the status of the Mayor's or designee's findings,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board directs the Mayor or designee to continuously monitor the County's finances to identify additional revenue that can be used to fund the restoration of any one or all of the Unfunded Compensation and Benefits retroactively to October 1, 2014 or for the remainder of fiscal year 2014-15.

Section 3. The Mayor or designee shall submit to the Board a written report: (a) each time additional revenue is identified in an amount sufficient to restore one or more of the Unfunded Compensation and Benefits retroactively to October 1, 2014 or for the remainder of fiscal year 2014-15, within thirty (30) days from the date such additional revenue is identified; and (b), in addition, at least quarterly commencing from the effective date of this resolution detailing the efforts the Mayor or designee has utilized to identify additional revenue to restore one or more of the Unfunded Compensation and Benefits retroactively to October 1, 2014 or for the remainder of fiscal year 2014-15 and notifying the Board if additional revenue in a sufficient amount has not been identified. The Mayor or designee shall place the foregoing reports on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**aye**
Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**nay**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of February, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency GBK

Geri Bonzon-Keenan