

MEMORANDUM

Non-Agenda Item No. 15(F)(14)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

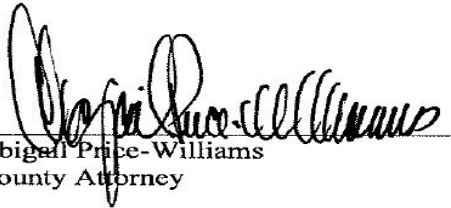
DATE: July 27, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to (1) negotiate with the appropriate collective bargaining units for a temporary hazardous duty pay supplement for County bus operators during the coronavirus disease 2019 (COVID-19) pandemic, if fiscally possible within legally available means; (2) identify legally available funds in the Fiscal Year 2019-2020 County budget and from other available sources to be used to fund the temporary hazardous duty pay supplement; (3) include a plan for funding the continuation or reinstatement of the hazardous duty pay supplement in the Fiscal Year 2020-2021 budget; and (4) provide a report

Resolution No. R-768-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsors Commissioner Daniella Levine Cava, Chairwoman Audrey M. Edmonson, Commissioner Eileen Higgins, Commissioner Jean Monestime, and Commissioner Dennis C. Moss.


Abigail Price-Williams
County Attorney

APW/cp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 27, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Non-Agenda Item No. 15(F)(14)

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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Non-Agenda Item No. 15(F)(14)

7-27-20

RESOLUTION NO. R-768-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO (1) NEGOTIATE WITH THE APPROPRIATE COLLECTIVE BARGAINING UNITS FOR A TEMPORARY HAZARDOUS DUTY PAY SUPPLEMENT FOR COUNTY BUS OPERATORS DURING THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC, IF FISCALLY POSSIBLE WITHIN LEGALLY AVAILABLE MEANS; (2) IDENTIFY LEGALLY AVAILABLE FUNDS IN THE FISCAL YEAR 2019-2020 COUNTY BUDGET AND FROM OTHER AVAILABLE SOURCES TO BE USED TO FUND THE TEMPORARY HAZARDOUS DUTY PAY SUPPLEMENT; (3) INCLUDE A PLAN FOR FUNDING THE CONTINUATION OR REINSTATEMENT OF THE HAZARDOUS DUTY PAY SUPPLEMENT IN THE FISCAL YEAR 2020-2021 BUDGET; AND (4) PROVIDE A REPORT

WHEREAS, at the July 27, 2020 Board of County Commissioners special meeting, a motion was made directing the County Mayor or County Mayor's designee to (1) negotiate with the appropriate collective bargaining units for a temporary hazardous duty pay supplement for County bus operators during the coronavirus disease 2019 (COVID-19) pandemic, if fiscally possible within legally available means; (2) identify legally available funds in the Fiscal Year 2019-2020 County budget and from other available sources to be used to fund the temporary hazardous duty pay supplement; (3) include a plan for funding the continuation or reinstatement of the hazardous duty pay supplement in the Fiscal Year 2020-2021 budget; and (4) provide a report,

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

Section 1. Directs the County Mayor or County Mayor's designee to negotiate with the appropriate collective bargaining units for a temporary hazardous duty pay supplement of 1 percent of base salary for the period starting March 1, 2020, and ending upon the expiration of the United States Secretary of Health and Human Services final renewal of its determination that a public health emergency exists nationwide as a result of the COVID-19 pandemic, for DTPW bus operators who are identified by the County as having close contact with potentially-infected bus passengers during the COVID-19 pandemic, if fiscally possible within legally available means.

Section 2. Directs the County Mayor or County Mayor's designee to identify legally available funds in the Fiscal Year 2019-2020 County budget, and from all other legally available sources, including, but not limited to, state, federal and non-governmental organization funds and grants, to be used to fund the temporary hazardous duty pay supplement set forth herein, and any extension or reinstatement thereof in the event that this Board decides such extension or reinstatement is necessary due to a future surge or recurrence of the current COVID-19 pandemic, and, if necessary, to identify and effectuate any corresponding reduction in expenditures that would be required in order to reallocate all or a portion of said funds for the purpose set forth herein.

Section 3. Directs the County Mayor or County Mayor's designee to include in the Fiscal Year 2020-2021 County budget a plan to fund the extension or reinstatement of the hazardous duty pay supplement, if necessary, as set forth in this resolution.

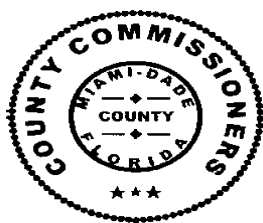
Section 4. Directs the County Mayor or County Mayor's designee to prepare and submit a report to this Board within 30 days of the effective date of this resolution setting forth the sources of funds identified, identifying any necessary reductions, and delineating any further action to be taken by the Board or any other entity to effectuate the allocation of said funds for the purpose of conducting the collective bargaining negotiations required by this resolution.

Alternatively, if such funding is not available, the report shall so indicate, including the reasons why such funding is not available. Such report shall also update the Board on the progress of the collective bargaining negotiations between the County and the appropriate bargaining units required by this resolution. The County Mayor or County Mayor's designee shall place the completed report on the next available agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan, and the Co-Sponsors are Commissioner Daniella Levine Cava, Chairwoman Audrey M. Edmonson, Commissioner Eileen Higgins, Commissioner Jean Monestime and Commissioner Dennis C. Moss. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	absent		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	absent	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 27th day of July, 2020. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to read "MS4", is written over a horizontal line.

Marlon D. Moffett