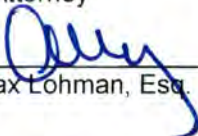
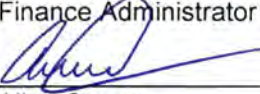


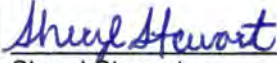
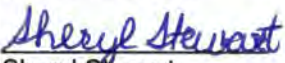
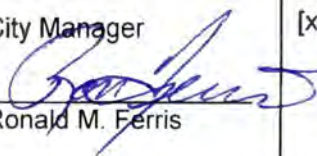


**CITY OF PALM BEACH GARDENS  
CITY COUNCIL  
Agenda Cover Memorandum**

**Meeting Date: August 2, 2018  
Resolution 45, 2018**

**Subject/Agenda Item:** Approving and ratifying the Memorandum of Understanding between the City of Palm Beach Gardens and the Police Benevolent Association for Police Officers, Sergeants, and Communications Operators employed by the City's Police Department to amend the current Collective Bargaining Agreement, Article 32, Salaries.

- Recommendation to APPROVE**  
 **Recommendation to DENY**

<p><b>Reviewed by:</b></p> <p>City Attorney    R. Max Lohman, Esq.</p> <p>Finance Administrator    Allan Owens</p> <p>Deputy City Manager    Stephen J. Stepp</p> <p>Police Chief    Clinton Shannon</p>	<p><b>Originating Dept.:</b> Human Resources</p> <p>  Sheryl Stewart  HR Administrator</p> <hr/> <p><b>Advertised: NA</b></p> <p>Date:</p> <p>Paper:</p> <p><input checked="" type="checkbox"/> Not Required</p>	<p><b>Costs:</b> <u>\$1,664,657.15</u>  (1-year total for FY 2018-2019)</p> <p style="text-align: right;"><u>\$277,442.86</u>  Current FY</p> <hr/> <p><b>Funding Source:</b></p> <p><input checked="" type="checkbox"/> Operating</p> <p><input type="checkbox"/> Other</p> <hr/> <p><b>Contract/Agreement:</b></p> <p>Effective Date: <u>October 1, 2016</u></p> <p>Expiration Date: <u>September 30, 2019</u></p> <hr/> <p><b>Budget Acct.#:</b></p> <p>001.1020.525.1210  001.1030.521.1210</p>	<p><b>Council Action:</b></p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/ Conditions</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Continued to:</p> <hr/> <p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>• Resolution 45, 2018  - Exhibit "A": PBA  Memorandum of  Understanding</li> </ul>
<p><b>Submitted by:</b> HR Administrator</p> <p>  Sheryl Stewart</p>	<p><b>Affected parties</b></p> <p><input type="checkbox"/> Notified</p> <p><input checked="" type="checkbox"/> Not required</p>		
<p><b>Approved by:</b></p> <p>City Manager    Ronald M. Ferris</p>			

**BACKGROUND:** In 2016, the City negotiated a new Collective Bargaining Agreement (CBA) with the Police Benevolent Association (PBA) in two meetings, successfully reaching a three-year contract effective through September 30, 2019. The contract adjusted salary range minimums and maximums for all bargaining unit positions and has provided for a 6 percent increase to employees' base salaries effective October 1, 2016, 2017, and 2018. It has been City policy to make salary adjustments necessary to maintain an externally competitive position of being within the top three to five comparable Palm Beach County municipalities. However, the local law enforcement labor market and societal conditions have changed dramatically, making it increasingly challenging to retain, as well as recruit, qualified police officers.

Aware that several employees are considering leaving the City's Police Department to join another law enforcement agency, on June 22, 2018, staff requested meeting with the PBA to address this salary issue as quickly as possible. The City and PBA representatives met on July 3, 2018, specifically to open Article 32, Salaries, in the current collective bargaining agreement. During this meeting, the parties successfully reached a Tentative Agreement on a Memorandum of Understanding (MOU) to amend the Salaries Article, to provide all bargaining unit members a 12 percent salary increase effective the first full pay period following ratification, and to increase the salary ranges for each bargaining unit position. As a result, upon approval and ratification, all bargaining unit members will receive the 6 percent wage increase scheduled for October 1, 2018, under the current contract, plus an additional 6 percent wage increase for a total of 12 percent, starting August 6, 2018, which will be reflected in their paychecks dated August 24, 2018. These salary increases are projected to cost approximately \$1,665,000 in FY 2018-2019, and an additional \$277,443 in the current year's Police Department Budget. Because this MOU amends salaries for the last year of the existing contract, there would not be an additional wage increase for FY 2018-2019. There are no further changes to the Salaries Article except those reflected in the attached MOU.

As staff prepares for negotiations for a successor agreement in 2019, these salary adjustments will place the City in a highly competitive position with salaries offered by other Palm Beach County police agencies. Given the exigent circumstances, staff is confident that the interests of protecting and serving the public safety of our community will be met by this proactive immediate measure and demonstrates the City's continued commitment of having competitive compensation for our employees.

Staff has been informed that the PBA members voted on July 11, 2018, in favor of ratification of the MOU to amend the current Collective Bargaining Agreement, Article 32, Salaries.

**STAFF RECOMMENDATION:** Staff recommends approval of Resolution 45, 2018 as presented.

## Sheryl Stewart

---

**From:** Patty Snider  
**Sent:** Thursday, July 12, 2018 10:05 AM  
**To:** Sheryl Stewart  
**Subject:** FW: RATIFICATION RESULTS

**From:** Courtney Lawrenson <courtney@pbcpba.org>  
**Sent:** Thursday, July 12, 2018 10:03 AM  
**To:** Ron Ferris <rferris@pbgfl.com>; Patty Snider <psnider@pbgfl.com>  
**Cc:** Greg Allen <GREG@pbcpba.org>  
**Subject:** RATIFICATION RESULTS

Please be advised that a ratification vote that was held July 11, 2018 between the Palm Beach County Police Benevolent Association and the The City of Palm Beach Gardens was ratified as follows:

93 FOR RATIFICATION  
5 AGAINST RATIFICATION

Thank you!

**Courtney Lawrenson** Legal Assistant, Palm Beach County PBA

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Phone: 561-689-3745  
Fax: 561-687-0154  
Email: courtney@pbcpba.org  
Website: pbcpba.org  
Address: 2100 North Florida Mango Rd. West Palm Beach, FL  
33409

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**RESOLUTION 45, 2018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AND RATIFYING A MEMORANDUM OF UNDERSTANDING WITH THE POLICE BENEVOLENT ASSOCIATION WITH REGARD TO ALL CITY POLICE OFFICERS, SERGEANTS, AND COMMUNICATIONS OPERATORS TO AMEND THE CURRENT COLLECTIVE BARGAINING AGREEMENT AT ARTICLE 32, SALARIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Police Benevolent Association has ratified and adopted the Memorandum of Understanding amending the current Collective Bargaining Agreement at Article 32, Salaries; and

**WHEREAS**, it has been City policy to make salary adjustments necessary to maintain an externally competitive position of being within the top three to five comparable Palm Beach County municipalities; however, the local law enforcement labor market has changed dramatically, making it increasingly challenging to retain, as well as recruit, qualified police officers; and

**WHEREAS**, the City, facing the potential of losing police officers due to the Palm Beach County Sheriff's Office (PBSO) recruitment of municipal police officers throughout Palm Beach County at a significant pay increase, has reopened the Salaries Article with the PBA and agreed to salary adjustments that will raise salaries to levels comparable to the PBSO; and

**WHEREAS**, given the exigent circumstances, staff is confident that the interests of protecting and serving the public safety of our community will be met by this proactive measure and demonstrates the City's continued commitment of having competitive compensation for our employees; and

**WHEREAS**, such Memorandum of Understanding has been prepared and is attached hereto as Exhibit "A"; and

**WHEREAS**, the City Council deems approval of this Resolution to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, that:**

1           **SECTION 1.** The foregoing recitals are hereby affirmed and ratified.  
2

3           **SECTION 2.** The City Council hereby ratifies, confirms, and approves the  
4 Memorandum of Understanding amending the current Collective Bargaining Agreement  
5 at Article 32, Salaries, and hereby authorizes the City Manager and the Police Chief to  
6 execute the Memorandum of Understanding on behalf of the City.  
7

8           **SECTION 3.** This Resolution shall become effective immediately upon adoption.  
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11                           (The remainder of this page intentionally left blank.)  
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PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF PALM BEACH GARDENS, FLORIDA

BY: \_\_\_\_\_  
Maria G. Marino, Mayor

ATTEST:

BY: \_\_\_\_\_  
Patricia Snider, CMC, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

BY: \_\_\_\_\_  
R. Max Lohman, City Attorney

VOTE:

AYE   NAY   ABSENT

MAYOR MARINO	_____	_____	_____
VICE MAYOR WOODS	_____	_____	_____
COUNCILMEMBER MARCIANO	_____	_____	_____
COUNCILMEMBER LANE	_____	_____	_____
COUNCILMEMBER LITT	_____	_____	_____



# EXHIBIT "A"

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PALM BEACH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION WITH REGARD TO ALL POLICE OFFICERS, SERGEANTS, AND COMMUNICATIONS OPERATORS EMPLOYED BY THE CITY'S POLICE DEPARTMENT**

The City of Palm Beach Gardens ("City") and the Palm Beach County Police Benevolent Association, Inc. ("PBA") agree to amend the current Collective Bargaining Agreement, Article 32, Salaries, as indicated by the modifications appearing herein below:

**ARTICLE 32**

**SALARIES**

**Section 1:** ~~Effective the first full pay period following ratification of this Article, all bargaining unit members will receive a 12% increase to base salary. Thereafter, the salary ranges effective October 1, 2016~~ for each bargaining unit position will be as follows:

<b>Position</b>	<b>Minimum</b>	<b>Maximum,</b>
Police Officer	<del>\$50,909</del> <u>54,000</u>	<del>\$78,975</del> <u>84,000</u>
Police Sergeant	<del>\$68,222</del> <u>76,720</u>	<del>\$102,333</del> <u>111,543</u>
Communications Operator	<del>\$44,320</del> <u>47,000</u>	<del>\$66,480</del> <u>70,500</u>
Communications Supervisor	<del>\$51,847</del> <u>55,000</u>	<del>\$77,771</del> <u>82,500</u>

~~The minimum salary for Police Sergeant will be \$70,269 effective October 1, 2017, and \$72,377 effective October 1, 2018.~~

~~**Section 2:** Effective October 1, 2016, October 1, 2017 and October 1, 2018, any member whose current base salary is below the minimum will receive a pay increase to their base salary equal to the difference between his/her current salary and the minimum of the range for their position (as listed in Section 1 above). Further, any member whose current base salary as of October 1, 2016 exceeds the maximum of the range for their position as shown in Section 1 above, shall remain at their current base salary.~~

~~**Section 3:** All bargaining unit members will receive a 6% increase to base salary effective October 1, 2016, October 1, 2017, and October 1, 2018~~

**Section 24:** If an employee receives a wage increase which results in his/her base salary exceeding the maximum of the salary range for the position, then the employee will receive a lump sum payment of the amount that exceeds the maximum of the salary

 7/3/18

 7/3/2017



range for the position. Said lump sum payment shall not be added to the employee's base salary.

**Section 35:** Any Bargaining Unit member's work schedule that requires them to work the majority of their regular shift after midnight for the majority of the pay period shall receive a two and one-half percent (2.5%) assignment pay calculated on base salary. Such assignment pay shall not be included in the employees' base salary, but shall be paid as a separate line item each pay period.

**THE CITY AND THE PBA AGREE FURTHER:**

1. The foregoing modification is necessary in order to memorialize accurately the agreement reached between the Parties pertaining to Salaries;
2. That this Memorandum of Understanding shall be effective upon full ratification of the Parties through and including September 30, 2019;
3. That this Memorandum of Understanding does not extend the current Collective Bargaining Agreement in effect until September 30, 2019;
4. That the Parties have full legal authority to enter into this Memorandum of Understanding.

IN WITNESS THEREOF, the Parties have caused this Memorandum of Understanding to be signed by their duly authorized representatives on this \_\_\_\_ day of \_\_\_\_\_, 2018.

**FOR THE CITY OF PALM  
BEACH GARDENS**

\_\_\_\_\_  
Ron Ferris, City Manager

\_\_\_\_\_  
Clinton Shannon, Police Chief

**FOR THE PALM BEACH  
COUNTY POLICE BENEVOLENT  
ASSOCIATION, INC.**

\_\_\_\_\_  
John Kazanjian, President

\_\_\_\_\_  
Rick King, Legal Counsel

 7/13/18

 7/13/18

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PALM BEACH  
GARDENS AND THE POLICE BENEVOLENT ASSOCIATION WITH REGARD TO  
ALL POLICE OFFICERS, SERGEANTS, AND COMMUNICATIONS OPERATORS  
EMPLOYED BY THE CITY'S POLICE DEPARTMENT**

The City of Palm Beach Gardens ("City") and the Palm Beach County Police Benevolent Association, Inc. ("PBA") agree to amend the current Collective Bargaining Agreement, Article 32, Salaries, as indicated by the modifications appearing herein below:

**ARTICLE 32**

**SALARIES**

**Section 1:** Effective the first full pay period following ratification of this Article, all bargaining unit members will receive a 12% increase to base salary. Thereafter, the salary ranges for each bargaining unit position will be as follows:

<b>Position</b>	<b>Minimum</b>	<b>Maximum</b>
Police Officer	\$54,000	\$84,000
Police Sergeant	\$76,720	\$111,543
Communications Operator	\$47,000	\$70,500
Communications Supervisor	\$55,000	\$82,500

**Section 2:** If an employee receives a wage increase which results in his/her base salary exceeding the maximum of the salary range for the position, then the employee will receive a lump sum payment of the amount that exceeds the maximum of the salary range for the position. Said lump sum payment shall not be added to the employee's base salary.

**Section 3:** Any Bargaining Unit member's work schedule that requires them to work the majority of their regular shift after midnight for the majority of the pay period shall receive a two and one-half percent (2.5%) assignment pay calculated on base salary. Such assignment pay shall not be included in the employees' base salary, but shall be paid as a separate line item each pay period.

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4. That the Parties have full legal authority to enter into this Memorandum of Understanding.

IN WITNESS THEREOF, the Parties have caused this Memorandum of Understanding to be signed by their duly authorized representatives on this \_\_\_\_ day of \_\_\_\_\_, 2018.


**FOR THE CITY OF PALM  
BEACH GARDENS**

\_\_\_\_\_  
Ron Ferris, City Manager

\_\_\_\_\_  
Clinton Shannon, Police Chief

**FOR THE PALM BEACH  
COUNTY POLICE BENEVOLENT  
ASSOCIATION, INC.**

  
\_\_\_\_\_  
John Kazanjian, President

  
\_\_\_\_\_  
Rick King, Legal Counsel