

CITY COUNCIL RESOLUTION NO. 2021-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE CURRENT COLLECTIVE BARGAINING AGREEMENT WITH THE FLORIDA STATE FRATERNAL ORDER OF POLICE, INC., PROVIDING FOR A PAY PLAN THAT AFFORDS AUTOMATIC INCREASES IN PAY TO REPRESENTED LAW ENFORCEMENT OFFICERS.

WHEREAS, during 2019, the City of Lake City, Florida (hereinafter the “City”) and the Florida State Fraternal Order of Police, Inc. (hereinafter “FOP”) negotiated and entered into a collective bargaining agreement titled *Agreement between the City of Lake City and [the] The Florida State Lodge Fraternal Order of Police, Inc.* (hereinafter the “Agreement”) pursuant to City Council Resolution No. 2019-153; and

WHEREAS, the City administration and FOP have determined that an amendment to the Agreement is needed, a copy of which is attached hereto as “Exhibit A”, that affords represented law enforcement officers with automatic pay increases based on years of service (see the *Memorandum* attached hereto as “Exhibit B”; and

WHEREAS, the City Council finds it to be in the best interests of the City to amend the Agreement by executing the First Amendment to the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are adopted and hereby incorporated by reference.

Section 2. The City is hereby authorized to execute and enter into the First Amendment to the Agreement.

Section 3. The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the First Amendment as may be deemed necessary to be in the best interest of the City and its citizens. The Mayor is authorized and directed to execute and deliver the Amendment in the name and on behalf of the City, with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution

FLK/bm
12/23/2020
1/5/2021

by the Mayor and FOP shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

Section 4. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council on the ____ day of January 2021.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney

EXHIBIT A

AMENDMENT NUMBER ONE TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND FLORIDA STATE FRATERNAL ORDER OF POLICE, INC.

THIS AMENDMENT NUMBER ONE (the "Amendment") is made and entered into in duplicate and shall be effective October 1, 2020, by and between the CITY OF LAKE CITY, FLORIDA, a municipal corporation (herein "City"), and Florida State Fraternal Order of Police, Inc. (herein "FOP").

RECITALS

WHEREAS, the City and FOP entered into a collective bargaining agreement dated titled *Agreement between the City of Lake City and [the] The Florida State Lodge Fraternal Order of Police, Inc.* (the "Agreement"); and

WHEREAS, the Agreement is effective October 1, 2019 through September 30, 2021, with respect to wages, hours, and terms and conditions of employment for City Police Officers; and

WHEREAS, the Agreement was approved and authorized by City Council Resolution No. 2019-153; and

WHEREAS, the city administration and FOP have determined that a change to section "11.1 Across-the-Board-Increases (ATB)" is needed; and

WHEREAS, the city administration and FOP desire that certain changes be made in said Agreement to more accurately reflect the understanding of the parties thereto; and

WHEREAS, the City Council finds that adoption of the recommended changes as recommended by the city administration and FOP are in the City's best interests.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth herein, the City and FOP agree as follows:

Section 1: Article 11 of the Agreement titled "Salaries" is hereby amended to include an updated version of "Schedule A", a copy of which is attached hereto.

Section 2: This Amendment shall be effective on the 1st day of October, 2020.

Section 3: Except as amended by this Amendment, all the terms and conditions of the Agreement shall remain in full forces and effect.

IN WITNESS WHEREOF, the City has executed this Amendment on the ____ day of _____, 2021.

CITY OF LAKE CITY, FLORIDA

By: _____

Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____

Audrey E. Sikes, City Clerk

By: _____

Frederick L. Koberlein, Jr.,
City Attorney

IN WITNESS WHEREOF, the FOP has executed this Amendment on the ____ day of _____, 2021.

Signed, sealed and delivered:
In the presence of:

**FLORIDA STATE FRATERNAL ORDER OF
POLICE, INC.**

Witness

By: _____

(Type or print name)

ATTEST: _____

Witness

(Type or print name)

SCHEDULE A

Tentatively Agreed Pay Proposal

11.1 The following pay matrix will be effective October 1, 2020 except for officers with less than 90 days' continuous service on October 1, 2020 and those hired after that date.

			STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP	STEP
			A	B	C	D	E	F	G	H	I	J	K	L
	Low	High			1	2	3	4	5	6	7	8	9	10
10	\$32,821.75	\$50,527.57	\$32,821.75	\$34,134.62	\$35,500.00	\$36,920.00	\$38,396.80	\$39,932.67	\$41,529.98	\$43,191.18	\$44,918.83	\$46,715.58	\$48,584.20	\$50,527.5
11	\$37,275.00	\$52,548.67			\$37,275.00	\$38,396.80	\$39,932.67	\$41,529.98	\$43,191.18	\$44,918.83	\$46,715.58	\$48,584.20	\$50,527.57	\$52,548.6
12	\$39,138.75	\$54,650.62			\$39,138.75	\$39,932.67	\$41,529.98	\$43,191.18	\$44,918.83	\$46,715.58	\$48,584.20	\$50,527.57	\$52,548.67	\$54,650.6
13	\$41,529.98	\$59,110.11			\$41,529.98	\$43,191.18	\$44,918.83	\$46,715.58	\$48,584.20	\$50,527.57	\$52,548.67	\$54,650.62	\$56,836.64	\$59,110.1

- Grade 10 applies to patrol officers working an 84 hour pay period.
- Grade 11 applies to officers assigned to Traffic Oriented Policing (TOP) and Criminal Interdiction Unit (CIU), who work an 84 hour pay period. This change in Grade for such personnel supplants additional pay for them provided in Article 6.
- Grade 12 applies to Investigators, Crime Prevention Officer, and Accreditation, who work an 80 hour pay period.
- Grade 13 applies to First Line Supervisors (Sergeants) assigned to both 80 and 84 hour pay periods.
- Employees will be slotted in the above pay plan such that they will receive no more or less than a 2% increase over their ending pay under the immediate past agreement.

Officers, through change of assignment, changing from Grade 10 to either Grade 11 or 12, would remain at their current step, based on years of service, in the appropriate Grade. Officers receiving a promotion in rank to Grade 13 would receive at least a 4% pay increase.

On September 30, 2021, officers who by then would have completed two years in the step they would have been in had they remained under the City's prior pay matrix without the above 2% increase will advance to the pay level of the step in the same grade in the above table which is immediately above their pay on September 29, 2021.

MEMORANDUM

TO: Fred Koberlein
FROM: Eric J. Holshouser
DATE: January 4, 2021
RE: Ratification of FOP contract wage proposal

The attached is the City's proposal for an amendment to the wages section of its current contract with the Fraternal Order of Police ("FOP") which the FOP has agreed to and ratified. The current fiscal year (2020-21) is the final year of a three year contract with the FOP, and the wages provision of the contract is subject to an annual reopener. Florida law prohibits having union contracts longer than three years so the parties could not have an agreement that covered any time frame after September 30, 2021. City management recommends ratifying the attached proposal.

In the City's contract negotiations with the FOP, the parties had agreed to work toward implementing a step pay plan providing for automatic pay increases based on years of service. Both parties felt that doing so would enable the City to compete with other area law enforcement agencies for quality personnel as those other agencies already have step pay plans.

However, under current economic circumstances, City management determined that it could not increase wages in this current fiscal year (2020-21) more than the 2% increase provided to other City employees. As a result, for the current fiscal year, the City proposed providing only a 2% increase for those the FOP represents.

To show its good faith toward implementing a step plan in the future, the City proposed incorporating the FOP's proposed step pay plan table into the wages provision with idea that for the next three year agreement to begin on October 1, 2021, the parties would migrate toward slotting FOP represented employees into the step pay plan in the table set forth in the attached. The attached proposal begins to do that on the final day of the current contract by moving those who have not had a step increase for at least two years to a step just above their current pay. That affects only 11 employees and impacts only the final day of the current contract so the effect of it on the current fiscal year budget is negligible.

How pay moves toward the step pay plan reflected in the table in the attached during the term of the next contract is subject to negotiation of that contract which could include amending the table itself, and the next agreement will be subject to ratification by both the FOP members and the City Council. For now, the City Council must vote on whether to ratify the City's attached proposal providing for a 2% increase to police personnel in the current fiscal year.