



## CITY OF DANIA BEACH CITY MANAGER MEMORANDUM

DATE: December 21, 2010

TO: Mayor C. W. McElyea  
Vice Mayor Anne Castro  
Commissioner Bob Anton  
Commissioner Walter B. Duke III  
Commissioner Bobbie Grace

FROM: Robert Baldwin, City Manager

SUBJECT: Broward Sheriff's Office (BSO) Agreement for Fire Rescue Services

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In October, the City Commission, at the request of the Dania Beach Fire Union, instructed staff to evaluate the possibility of a merger of the City's fire rescue services with the Broward Sheriff's Office. Since that time, City staff, BSO, fire union personnel, the Sheriff, and I have had numerous meetings and discussions to negotiate an inter-local agreement for City fire rescue services. The proposal has been analyzed by the City's and BSO's finance personnel. The substantive points of the proposed agreement and staff's evaluations were discussed with each of you during the past two weeks in individual meetings. The substantive terms remain basically the same as we discussed with you; however, we have continued to negotiate and work out the details and wording of the agreements with the BSO and the Fire Union.

The Commission authorized me to call a Special Meeting when we had worked out a substantially final proposal. I told you at that time I would not give you the proposal at the last minute, which is why we met with you individually to explain earlier proposal developments. Additionally, I want to remind you that you need not make your final decision tonight. It is important that each of you is satisfied with the evaluation and proposal before making a decision.

In partnership with the Fire Union representatives and BSO managers, the City has worked to negotiate and develop agreements allowing merger of City Fire/Rescue services with BSO. The City's agreements are based upon and reflected in the conceptual framework and details of the:

1. Fire Union Letter Of Understanding (LOU), and
2. BSO Inter-Local Agreement (ILA).

These two agreements have been conceptually and substantively agreed upon after weeks of diligent collaboration by the City's Fire Union, BSO and City staff. Commission approval of the two proposed Resolutions will allow the City Manager to work with the Fire Union and BSO to finalize the wording and execute these

agreements over the coming weeks. Tonight's approval by the Commission is subject to a subsequent vote of approval of the LOU by members of the City Fire Union and final approval of the ILA by BSO. These approvals form a path that lead to a transition of City fire rescue services on January 29, 2011. A detailed explanation of the fiscal impacts of the proposed merger is reflected in staff's Fire Merger Provisions memo.

The merger of Dania Beach Fire Rescue services into the BSO:

- Maintains high City service levels,
- Enhances education and career service for City staff transitioned to BSO,
- Is supported by the Fire Union, subject to their approval of matters reflected in the LOU, and
- Presents a cost-neutral short-term fiscal impact to the City while offering a long-term fiscal benefit (after current pension liabilities are fully funded)

If the City Commission approves tonight's Resolutions, several administrative and procedural actions must subsequently occur by the Sheriff, both City and County Unions, and the City. These actions are outlined in the attached Fire Merger memo. Qualitative issues, i.e., local-control, political considerations, traditions, etc., were not considered in the Administration's analysis. Based on service levels and financial considerations, we feel these are fair agreements that will continue to provide exceptional fire rescue service to the City of Dania Beach and provide an overall long-range cost savings.

It is recommended the City Commission consider and approve the two Resolutions reflecting agreement with the Fire Union LOU and the Broward Sheriff's Office ILA for fire rescue services. This will allow the Administration to finalize agreement wording and work with the Union and BSO on administrative and procedural steps required to complete and execute final documents by all parties for the consolidation of City fire rescue services with BSO.

**RESOLUTION NO. 2010-213**

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OR LETTER OF UNDERSTANDING WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3080, ON BEHALF OF THE CITY REGARDING THE TRANSITION OF THE CITY FIRE DEPARTMENT TO THE BROWARD SHERIFF'S OFFICE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the proper City officials are authorized to execute a Memorandum or Letter of Understanding on behalf of the City of Dania Beach with the International Association of Firefighters, Local 3080, regarding the transition of the City Fire Department to the Broward Sheriff's Office. A copy of the document is attached and incorporated into this Resolution by this reference.

**Section 2.** That the City Manager and City Attorney are authorized to make modifications to the terms of Memorandum or Letter of Understanding related to the transition as are deemed necessary and proper for the best interests of the City.

**Section 3.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 4.** That this Resolution shall be in force and take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** on December 21, 2010

ATTEST:

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LOUISE STILSON, CMC  
CITY CLERK

\_\_\_\_\_  
C. K. McELYEA  
MAYOR-COMMISSIONER

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
THOMAS J. ANSBRO

DATE

*DRAFT*

NAME

TITLE

ADDRESS

Re: Letter of Understanding

Dear NAME:

This Letter of Understanding (“LOU”) sets forth the agreement entered into, by, and between the City of Dania Beach (“City”) and the Dania Beach Association of Firefighters, International Association of Firefighters, Local 3080 (“union”), regarding the possible merger into the fire protection services of Broward Sheriff’s Office (the “Possible Merger”). The LOU may be supplemented or modified by other writings signed by the parties.

The parties agree that the Possible Merger shall include and is contingent upon including the following elements:

- Preservation of employment for City firefighters by means of an offer of transfer into the Broward Sheriff’s Office (BSO) Fire Rescue in the Broward County Sheriff’s Office (“Broward Fire Department”).
- Restriction by the Broward Fire Department to transferred City employees of promotional opportunities occasioned by the Possible Merger and a representation by the Broward Fire Department that no transferred City employee shall suffer a decline in rank.
- Transfer of employees’ existing City leave balances to their credit with the Broward Fire Department subject to the maximum balance allowed by that Department and “excess balances” as provided by the City’s BSO Interlocal Agreement. Remaining leave balances shall be retained by the City and paid to the employee on the first scheduled City pay date following the employee’s final City pay check.

- For all current or future City of Dania Beach Police and Firefighters Retirement System (“City Retirement System”) participants, elimination of those certain employee contribution payments resulting in increased employee compensation (as referenced, e.g., in Section 18-43(b) of the Code of the City of Dania Beach) for any such participant who becomes a member of the Florida Retirement System.
- The City, union, and “Promoted Employees” (as hereinafter defined) agree as follows:

“Promoted Employees” are City employees whose rank is raised (1) as a result of the Possible Merger and (2) during a period of twelve (12) months and one (1) day following the effective date of the Possible Merger (the “Defined Period”).

No increase in remuneration or compensation of any kind resulting from rank raises to Promoted Employees shall be the basis for the calculation of leave balance payouts, if any, that occur prior to or during the Defined Period.

Increases in remuneration or compensation of any kind resulting from rank increases to Promoted Employees shall not be pensionable earnings for purposes of the City Retirement System prior to or during the Defined Period.

Understood and agreed:

CITY OF DANIA BEACH

LOCAL 3080

By: \_\_\_\_\_  
NAME

By: \_\_\_\_\_  
NAME

Date: \_\_\_\_\_

Date: \_\_\_\_\_