

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: June 25, 2025 10:26 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 78 OF THE MIAMI BEACH CITY CODE, ENTITLED "PERSONNEL," BY CREATING ARTICLE VI, ENTITLED "UNCLASSIFIED EMPLOYEES' SALARY ORDINANCE," BY CREATING SECTIONS 78-310 THROUGH 78-320 THEREOF, TO CODIFY AS PART OF THE CITY CODE, AND ADOPT AMENDMENTS TO THE CITY'S UNCLASSIFIED EMPLOYEES' SALARY ORDINANCE (NO. 1605), WHICH ORDINANCE ESTABLISHES THE PAY PLAN FOR UNCLASSIFIED CITY EMPLOYEES, FOR PURPOSES OF CLARITY AND EASE OF REFERENCE, TO DELETE AND/OR REVISE OUTDATED PROVISIONS, AND TO CODIFY EXISTING ADMINISTRATIVE PRACTICES; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND FURTHER, PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends the adoption of the proposed Ordinance to codify current administrative policies and practices and deleting or revising outdated provisions concerning pay for the Unclassified Service, and providing that future changes to the pay plan be effectuated by the Commission through resolution rather than through ordinance.

BACKGROUND/HISTORY

Pursuant to the City's Civil Service System, employment positions in the City are generally divided into the Classified or Unclassified Service. Ordinance 1605, first enacted on September 28, 1966, with the stated purpose of creating an orderly means of compensation, established a Compensation Plan, comprised of positions and an associated salary range for each position within the Unclassified Service of the City. Each Commission-approved change to the Ordinance over the years was made independently and was irregularly codified. Furthermore, since the adoption of Ordinance 1605, any across the board pay increases or changes to the pay scales on a classification basis have been made by an amendatory ordinance. Ordinance 1605 was last amended on December 14, 2022, by the adoption of Ordinance 2022-4528 which Ordinance raised the maximum pay of the salary range for all positions in the Unclassified Service to reflect an across-the-board cost-of-living increase of 3% effective in April 2023 and 3% effective in April 2024.

ANALYSIS

The City must currently change the pay plan, including for cost-of-living increases, by ordinance, requiring two readings and strike-throughs to every pay grade and for every change to the Compensation Plan since the prior ordinance.

Pay Plan Amendments by Resolution of the Commission

The Pay Plan refers to the grade assigned to each position within the Unclassified Service and the associated minimum and maximum pay range. The Classification Plan refers to the inventory of job positions within the Unclassified Service and the associated position grade. Together, the Classification Plan and Pay Plan comprise the City's Compensation Plan. The City Manager may maintain and amend the Classification Plan while authority to amend the Pay Plan rests with the Commission.

In keeping with the legal notice requirements for the adoption of ordinances, in the past, every change to the Pay Plan approved by the Commission involved the use of strikethroughs and underlines to reflect the text amendments. At times, this has caused the proposed ordinance to take up several pages to incorporate the entire Compensation Plan for the mere purpose of adjusting the maximum salary in each range to reflect the across-the-board pay increase granted by the Commission. Since the implementation of enterprise system software, currently MUNIS, systematic changes can be easily and efficiently implemented and up to the minute information concerning positions and pay is readily available.

This updated Ordinance proposes that future changes to the Pay Plan be made by resolution of the commission eliminating the need for multiple readings and providing for greater efficiency in the administration of pay for the City's unclassified employees.

Codification of Current Administrative Regulations and Practices

The balance of powers between the Commission and the City Manager remains the same. The City Manager's powers focus primarily on his ability to affect individual salaries for operational efficiency, and they are circumscribed by the Commission's power to affect overall salaries as a function of the Commission's authority to adopt the budget. The enumerated powers of the City Manager reflect current practices on the maintenance of classifications and the settings of salaries within the framework of the approved Pay Plan for the Unclassified Service and enable the Administration to affect pay consistent with current market demands to hire and retain a quality workforce.

FISCAL IMPACT STATEMENT

The adoption of the ordinance has no financial impact.

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 6/6/2025
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

The Administration recommends the adoption of the Ordinance, which proposes to codify an updated Unclassified Salary Ordinance and provide for future pay plan adjustments through resolution rather than ordinance, on first reading and set the Ordinance for second reading on

June 25, 2025. The City Administration will propose a companion resolution for consideration at the June 25, 2025 Commission Meeting which would effectuate cost of living adjustments for unclassified employees.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Human Resources

Sponsor(s)

Commissioner Joseph Magazine

Co-sponsor(s)

Condensed Title

10:26 a.m. 2nd Rdg, Amend 1605, Unclassified Employees' Salary Ordinance. (Magazine) HR

Previous Action (For City Clerk Use Only)

First Reading Public Hearing on 5/21/2025 - R5 Q