

**NB 16. A REFERRAL TO DISCUSS A PROPOSED RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING AS THE POLICY OF THE CITY OF MIAMI BEACH THAT MEDICAL MARIJUANA IS MEDICINE AND NOT AN ILLICIT RECREATIONAL DRUG; THAT EMPLOYEES OF THE CITY WHO ARE PRESCRIBED MEDICAL MARIJUANA BY A PROPERLY LICENSED MEDICAL PROFESSIONAL IN COMPLIANCE WITH ALL REQUIREMENTS SET FORTH IN FLORIDA LAW SHALL BE PERMITTED TO USE THIS PROPERLY PRESCRIBED MEDICATION DURING NONWORKING HOURS AND SUFFICIENTLY IN ADVANCE OF ANY SCHEDULED WORK SHIFT IN ORDER TO ENSURE THAT THE EMPLOYEE IS NOT IMPAIRED BY THE USE OF THE MEDICAL MARIJUANA WHILE ON THE JOB; AND DIRECTING THE CITY ADMINISTRATION TO DRAFT AND PROMULGATE WRITTEN DIRECTIVES EFFECTUATING THIS CITY POLICY**  
Applicable Area:

**Pre-Employment Drug Testing as of 07/2024**

Child Care / Housing

Heavy Machine/Driving /PW PR CDL

Safety Sensitive/Pol/Fire incl CDL/Code/Ocean Rescue

**Jobs With Min/Max Salary Ranges Updated 05/23/2024**

| Job Class | Job Description               | Group/BU | Base Pay Desc         | Grade |
|-----------|-------------------------------|----------|-----------------------|-------|
| 3406      | ALL STAR ONE TO ONE FACIL PT  | CUNC     | BASE HOURLY TEMPORARY | HR09  |
| 5417      | AQUATICS CORDINATOR           | CUNC     | BASE SALARIED EMP     | U19   |
| 5418      | AQUATICS MANAGER              | CUNC     | BASE SALARIED EMP     | U21   |
| 6016      | ATHLETIC MANAGER              | CUNC     | BASE SALARIED EMP     | U21   |
| 3405      | C.D.B.G. PROJECTS COORDINATOR | CUNC     | BASE SALARIED EMP     | U23   |
| 3407      | CHILD GROUP FACILITATOR       | CUNC     | BASE HOURLY TEMPORARY | U06   |
| 6126      | CONCESSION ATTENDANT          | CAFC     | BASE SALARIED EMP     | A03   |
| 6103      | CONCESSION ATTENDANT PT       | CAFC     | BASE HOURLY           | A03   |
| 6120      | ICE RINK MANAGER              | CUNC     | BASE SALARIED EMP     | U16   |
| 6122      | ICE RINK TECHNICIAN           | CAFC     | BASE SALARIED EMP     | A12   |
| 6112      | INCLUSIONARY AIDE             | CUNC     | BASE HOURLY           | H10   |
| 3408      | PARENT CHILD FACILITATOR      | CUNC     | BASE HOURLY TEMPORARY | U15   |
| 6005      | PARK FACILITIES MANAGER       | CUNC     | BASE SALARIED EMP     | U21   |
| 6004      | PARK OPERATIONS SUPERVISOR    | CGSA     | BASE SALARIED EMP     | 512   |
| 6008      | PARK SUPERVISOR               | CAFC     | BASE SALARIED EMP     | A14   |
| 6015      | PARKS & RE PROJECTS SUPER     | CUNC     | BASE SALARIED EMP     | U20   |
| 6010      | PARKS & REC PROJECT COOR      | CUNC     | BASE SALARIED EMP     | U21   |
| 6119      | PARKS & RECREATION ANALYST    | CUNC     | BASE SALARIED EMP     | U16   |
| 6104      | REC LEADER I PT Y             | CAFC     | BASE HOURLY           | H07A  |
| 6018      | REC PROGRAM ASSISTANT MANAGER | CUNC     | BASE SALARIED EMP     | U18   |
| 6105      | REC PROGRAM SUPERVISOR        | CAFC     | BASE SALARIED EMP     | A14   |
| 6102      | RECREATION AIDE               | COTH     | BASE SALARIED EMP     | C07   |
| 6108      | RECREATION ATTENDANT          | CAFC     | BASE SALARIED EMP     | A05   |
| 6118      | RECREATION LEADER I           | CAFC     | BASE SALARIED EMP     | A07   |
| 6117      | RECREATION LEADER II          | CAFC     | BASE SALARIED EMP     | A10   |
| 6017      | RECREATION PROGRAM MANAGER    | CUNC     | BASE SALARIED EMP     | U21   |
| 6109      | RECREATION SUPERVISOR         | CUNC     | BASE SALARIED EMP     | U16   |
| 6107      | RECREATION SUPERVISOR I       | CGSA     | BASE SALARIED EMP     | 511   |
| 6129      | SEASON POOL GUARD PT          | COTH     | BASE HOURLY           | H12A  |
| 6113      | SEASONAL INCLUSIONARY AIDE    | CUNC     | BASE HOURLY           | H10   |
| 6127      | SEASONAL REC AIDE S PT        | COTH     | BASE HOURLY           | H07A  |
| 7113      | SOCIAL WORKER                 | CUNC     | BASE SALARIED EMP     | U22   |
| 1091      | SUCCESS COACH                 | CUNC     | BASE SALARIED EMP     | U12   |
| 6125      | TENNIS CENTER SUPERVISOR      | CGSA     | BASE SALARIED EMP     | 506   |
| 5211      | VICTIM'S ADVOCATE             | CUNC     | BASE SALARIED EMP     | U15   |
| 5220      | VICTIM'S ADVOCATE SUPERVISOR  | CUNC     | BASE SALARIED EMP     | U18   |

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**Jobs With Min/Max Salary Ranges Updated 05/23/2024**

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|-----------|--------------------------------|----------|-------------------|-------|
| 4212      | AIR COND MECHANIC              | CCWA     | BASE SALARIED EMP | H34B  |
| 4211      | AIR COND SUPERVISOR            | CGSA     | BASE SALARIED EMP | 514   |
| 4025      | BACKFLOW COORDINATOR           | CGSA     | BASE SALARIED EMP | 511   |
| 4263      | CARPENTER                      | CCWA     | BASE SALARIED EMP | H27B  |
| 3111      | CHIEF ELECTRICAL INSPECTOR     | CUNC     | BASE SALARIED EMP | U22   |
| 3171      | CHIEF ELEVATOR INSPECTOR       | CUNC     | BASE SALARIED EMP | U22   |
| 3121      | CHIEF MECHANICAL INSPECTOR     | CUNC     | BASE SALARIED EMP | U22   |
| 4017      | CONTROL RM OPERATOR            | CAFC     | BASE SALARIED EMP | A10   |
| 4018      | CONTROL ROOM SUPERVISOR PW     | CUNC     | BASE SALARIED EMP | U15   |
| 3113      | ELECTRICAL INSPECTOR           | CCWA     | BASE SALARIED EMP | H34B  |
| 4232      | ELECTRICIAN                    | CCWA     | BASE SALARIED EMP | H34B  |
| 4230      | ELECTRICIAN SUPERVISOR         | CGSA     | BASE SALARIED EMP | 514   |
| 4229      | ELECTRONIC/INST SUPERVISOR     | CGSA     | BASE SALARIED EMP | 512   |
| 3173      | ELEVATOR INSPECTOR MANAGER     | CUNC     | BASE SALARIED EMP | U19   |
| 3107      | ENGINEERING INSPECTOR          | CCWA     | BASE SALARIED EMP | H34B  |
| 4404      | FACILITIES ZONE MANAGER        | CUNC     | BASE SALARIED EMP | U20   |
| 3040      | FIELD INSPECTIONS SUPERVISOR   | CUNC     | BASE SALARIED EMP | U19   |
| 3019      | FIELD INSPECTOR I              | CCWA     | BASE SALARIED EMP | H24B  |
| 3018      | FIELD INSPECTOR II             | CCWA     | BASE SALARIED EMP | H30B  |
| 3023      | FIELD MONITOR                  | CUNC     | BASE SALARIED EMP | U12   |
| 4322      | FIRE EQUIPMENT MECHANIC        | CAFC     | BASE SALARIED EMP | A14   |
| 4133      | FORESTRY FIELD INSPECTOR       | COTH     | BASE SALARIED EMP | C12   |
| 4104      | HEAVY EQUIPMENT OPER I         | CAFC     | BASE SALARIED EMP | A12   |
| 4103      | HEAVY EQUIPMENT OPER II        | CAFC     | BASE SALARIED EMP | A14   |
| 4136      | INFRASTRUCTURE SUPPORT SUPERVI | COTH     | BASE SALARIED EMP | C19   |
| 4142      | INFRASTRUTURE SUPPORT OPER A   | COTH     | BASE SALARIED EMP | C14   |
| 4143      | INFRASTRUTURE SUPPORT OPER B   | COTH     | BASE SALARIED EMP | C12   |
| 4144      | INFRASTRUTURE SUPPORT OPER C   | COTH     | BASE SALARIED EMP | C11   |
| 4145      | INFRASTRUTURE SUPPORT OPER D   | COTH     | BASE SALARIED EMP | C08   |
| 1626      | LANDSCAPE CONTRACTS ADMIN      | CUNC     | BASE SALARIED EMP | U21   |
| 4051      | MAINTENANCE SUP                | CGSA     | BASE SALARIED EMP | 512   |
| 4242      | MASON                          | CCWA     | BASE SALARIED EMP | H27B  |
| 4243      | MASONRY HELPER                 | CCWA     | BASE SALARIED EMP | H18B  |
| 4334      | MECHANIC I                     | CAFC     | BASE SALARIED EMP | A10   |
| 4333      | MECHANIC II                    | CAFC     | BASE SALARIED EMP | A12   |
| 4332      | MECHANIC III                   | CAFC     | BASE SALARIED EMP | A14   |
| 3123      | MECHANICAL INSPECTOR           | CCWA     | BASE SALARIED EMP | H34B  |
| 4107      | MSW I                          | CAFC     | BASE SALARIED EMP | A06   |
| 4102      | MSW I PT                       | CAFC     | BASE HOURLY       | HR06  |
| 4106      | MSW II                         | CAFC     | BASE SALARIED EMP | A08   |
| 4101      | MSW II PT                      | CAFC     | BASE HOURLY       | H08A  |
| 4105      | MSW III                        | CAFC     | BASE SALARIED EMP | A11   |
| 4110      | MSW III PT                     | CAFC     | BASE HOURLY       | H11A  |
| 4109      | MSW TRAINEE                    | CAFC     | BASE HOURLY       | H04A  |

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|-----------|--------------------------------|----------|-------------------|-------|
| 4221      | PAINT SUPERVISOR               | CGSA     | BASE SALARIED EMP | 511   |
| 1827      | PARKING ENF OPS SUPERVISOR     | CGSA     | BASE SALARIED EMP | 513   |
| 1815      | PARKING ENF SPEC I PT          | COTH     | BASE HOURLY       | H13   |
| 1828      | PARKING ENFORCEMENT OPER SUP   | CGSA     | BASE SALARIED EMP | 513   |
| 1805      | PARKING ENFORCEMENT SPEC I     | CCWA     | BASE SALARIED EMP | H24B  |
| 1804      | PARKING ENFORCEMENT SPEC II    | CCWA     | BASE SALARIED EMP | H25B  |
| 1807      | PARKING METER TECHNICIAN       | CCWA     | BASE SALARIED EMP | H25B  |
| 1806      | PARKING METER TECHNICIAN II    | CCWA     | BASE SALARIED EMP | H27B  |
| 1816      | PARKING METER TECHNICIAN PT    | COTH     | BASE HOURLY       | H07A  |
| 1803      | PARKING OPS SUPERVISOR         | CGSA     | BASE SALARIED EMP | 512   |
| 4019      | SANITARY SEWER SUPERINTENDENT  | CUNC     | BASE SALARIED EMP | U23   |
| 4045      | SANITATION OPERATIONS SUPV     | CGSA     | BASE SALARIED EMP | 512   |
| 4044      | SANITATION SUPER INTENDENT     | CUNC     | BASE SALARIED EMP | U21   |
| 3112      | SENIOR ELECTRICAL INSPECTOR    | CGSA     | BASE SALARIED EMP | 514   |
| 3122      | SENIOR MECHANICAL INSPECTOR    | CGSA     | BASE SALARIED EMP | 514   |
| 4052      | SERVICE SUP                    | CGSA     | BASE SALARIED EMP | 509   |
| 4003      | SEW FIELD OPERATIONS SUPV      | CGSA     | BASE SALARIED EMP | 513   |
| 4008      | SEWER PIPEFITTER               | CAFC     | BASE SALARIED EMP | A12   |
| 4006      | SEWER SUPERVISOR               | CAFC     | BASE SALARIED EMP | A15   |
| 4028      | SIGN MAKER                     | CAFC     | BASE SALARIED EMP | A11   |
| 4030      | SIGN MAKER P/T                 | CAFC     | BASE HOURLY       | HR11  |
| 3172      | SR ELEVATOR INSPECTOR          | CGSA     | BASE SALARIED EMP | 513   |
| 1612      | STOREKEEPER I                  | CAFC     | BASE SALARIED EMP | A10   |
| 1611      | STOREKEEPER II                 | CAFC     | BASE SALARIED EMP | A11   |
| 1616      | STOREKEEPER III                | CAFC     | BASE SALARIED EMP | A12   |
| 4009      | STORMWATER SUPERVISOR          | CAFC     | BASE SALARIED EMP | A15   |
| 4137      | STORMWATER FIELD OPER SUPERVIS | COTH     | BASE SALARIED EMP | C19   |
| 4120      | STORMWATER OPERATOR A          | COTH     | BASE SALARIED EMP | C12   |
| 4121      | STORMWATER OPERATOR B          | COTH     | BASE SALARIED EMP | C11   |
| 4122      | STORMWATER OPERATOR C          | COTH     | BASE SALARIED EMP | C08   |
| 4123      | STORMWATER OPERATOR D          | COTH     | BASE SALARIED EMP | C06   |
| 3053      | STORMWATER SUPERINTENDENT      | CUNC     | BASE SALARIED EMP | U23   |
| 4036      | STREET LIGHT TECHNICIAN I      | CAFC     | BASE SALARIED EMP | A12   |
| 4035      | STREET LIGHT TECHNICIAN II     | CAFC     | BASE SALARIED EMP | A14   |
| 4032      | STREET OPERATIONS SUPERVISOR   | CGSA     | BASE SALARIED EMP | 512   |
| 4034      | STREET SUPERVISOR              | CAFC     | BASE SALARIED EMP | A15   |
| 3052      | STREETS & STREETLIGHTING SUPT  | CUNC     | BASE HOURLY       | U23   |
| 4002      | SURVEY CREW CHIEF              | CUNC     | BASE SALARIED EMP | U17   |
| 6023      | TREE TRIMMER                   | CAFC     | BASE SALARIED EMP | A10   |
| 1610      | WAREHOUSE SUPERVISOR           | CGSA     | BASE SALARIED EMP | 512   |
| 4047      | WASTE COLLECTOR                | CAFC     | BASE SALARIED EMP | A06   |
| 4046      | WASTE DRIVER SUP               | CAFC     | BASE SALARIED EMP | A12   |
| 4112      | WASTE WATER COLLECTION OPER A  | COTH     | BASE SALARIED EMP | C12   |
| 4113      | WASTE WATER COLLECTION OPER B  | COTH     | BASE SALARIED EMP | C11   |
| 4114      | WASTE WATER COLLECTION OPER C  | COTH     | BASE SALARIED EMP | C08   |
| 4115      | WASTE WATER COLLECTION OPER D  | COTH     | BASE SALARIED EMP | C06   |
| 4001      | WATER & SEWER SUPERINTENDENT   | CUNC     | BASE SALARIED EMP | U23   |
| 4116      | WATER DIST SYSTEM OPER A       | COTH     | BASE SALARIED EMP | C14   |
| 4117      | WATER DIST SYSTEM OPER B       | COTH     | BASE SALARIED EMP | C12   |
| 4118      | WATER DIST SYSTEM OPER C       | COTH     | BASE SALARIED EMP | C11   |
| 4119      | WATER DIST SYSTEM OPER D       | COTH     | BASE SALARIED EMP | C08   |
| 4004      | WATER FIELD OPERATIONS SUPV    | CGSA     | BASE SALARIED EMP | 513   |
| 4026      | WATER METER SUPERVISOR         | CGSA     | BASE SALARIED EMP | 512   |

| <b>Job Class</b> | <b>Job Description</b>   | <b>Group/BU</b> | <b>Base Pay Desc</b> | <b>Grade</b> |
|------------------|--------------------------|-----------------|----------------------|--------------|
| 4024             | WATER METER TECH I       | CAFC            | BASE SALARIED EMP    | A09          |
| 4023             | WATER METER TECH II      | CAFC            | BASE SALARIED EMP    | A10          |
| 4124             | WATER METER TECHNICIAN A | COTH            | BASE SALARIED EMP    | C14          |
| 4125             | WATER METER TECHNICIAN B | COTH            | BASE SALARIED EMP    | C12          |
| 4126             | WATER METER TECHNICIAN C | COTH            | BASE SALARIED EMP    | C11          |
| 4127             | WATER METER TECHNICIAN D | COTH            | BASE SALARIED EMP    | C08          |
| 4007             | WATER PIPEFITTER         | CAFC            | BASE SALARIED EMP    | A12          |
| 4010             | WATER SUPERINTENDENT     | CUNC            | BASE SALARIED EMP    | U23          |
| 4005             | WATER SUPERVISOR         | CAFC            | BASE SALARIED EMP    | A16          |

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**Jobs With Min/Max Salary Ranges Updated 05/23/2024**

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|-----------|--------------------------------|----------|-----------------------|-------|
| 5516      | ACTIVE RESERVE OFFICER         | CUNC     | BASE HOURLY TEMPORARY | HR02  |
| 5002      | ASSISTANT CHIEF OF POLICE      | CUNC     | BASE SALARIED EMP     | U27   |
| 5102      | ASST FIRE CHIEF                | CUNC     | BASE SALARIED EMP     | U27   |
| 5402      | BEACH MAINTENANCE DIV DIRECTOR | CUNC     | BASE SALARIED EMP     | U25   |
| 5403      | BEACH PATROL OPER SUPERVISOR   | CGSA     | BASE SALARIED EMP     | 516   |
| 3117      | BUILDING CODE COMP OFFICER     | COTH     | BASE SALARIED EMP     | C15   |
| 5115      | CHIEF FIRE PROTECTION ANALYST  | CUNC     | BASE SALARIED EMP     | U22   |
| 3156      | CODE COMPLIANCE ADMIN          | CCWA     | BASE SALARIED EMP     | H34B  |
| 3159      | CODE COMPLIANCE ASSISTANT DIR  | CUNC     | BASE SALARIED EMP     | U27   |
| 3165      | CODE COMPLIANCE BUSINESS MANAG | CUNC     | BASE SALARIED EMP     | U19   |
| 3147      | CODE COMPLIANCE DIRECTOR       | CUNC     | BASE SALARIED EMP     | U28   |
| 3154      | CODE COMPLIANCE MANAGER        | CUNC     | BASE SALARIED EMP     | U21   |
| 3158      | CODE COMPLIANCE OFF 1          | CCWA     | BASE SALARIED EMP     | H27B  |
| 3162      | CODE COMPLIANCE OFF 1 PT       | CCWA     | BASE HOURLY           | HR26  |
| 3157      | CODE COMPLIANCE OFF 2          | CCWA     | BASE SALARIED EMP     | H31B  |
| 3149      | CODE COMPLIANCE REC SUPERVISOR | CUNC     | BASE SALARIED EMP     | U12   |
| 5214      | COMMUNICATIONS OPERATOR        | CCWA     | BASE SALARIED EMP     | H26B  |
| 5213      | COMPLAINT OPERATOR II          | CCWA     | BASE SALARIED EMP     | H27B  |
| 5217      | CRIME ANALYSIS SPEC            | CCWA     | BASE SALARIED EMP     | H32B  |
| 5218      | CRIME ANALYST MANAGER          | CUNC     | BASE SALARIED EMP     | U22   |
| 5013      | CRIME SCENE SUPERVISOR         | CGSA     | BASE SALARIED EMP     | 514   |
| 5015      | CRIME SCENE TECHNICIAN I       | CCWA     | BASE SALARIED EMP     | H31B  |
| 5014      | CRIME SCENE TECHNICIAN II      | CCWA     | BASE SALARIED EMP     | H34B  |
| 5025      | DEPUTY CHIEF OF POLICE         | CUNC     | BASE SALARIED EMP     | U28   |
| 5120      | DEPUTY FIRE CHIEF              | CUNC     | BASE SALARIED EMP     | U28   |
| 5305      | DETENTION OFFICER              | CFOP     | BASE SALARIED EMP     | D01A  |
| 5212      | DISPATCHER                     | CCWA     | BASE SALARIED EMP     | H28B  |
| 8014      | DISPATCHER TRAINEE             | CCWA     | BASE SALARIED EMP     | H25B  |
| 5026      | EXEC OFF TO CHIEF OF POLICE    | CUNC     | BASE SALARIED EMP     | U25   |
| 5113      | FIRE ADMIN SERVICES MANAGER    | CUNC     | BASE SALARIED EMP     | U23   |
| 5105      | FIRE CAPTAIN                   | CIAF     | BASE SALARIED EMP     | C08A  |
| 5101      | FIRE CHIEF                     | CUNC     | BASE SALARIED EMP     | U29   |
| 5103      | FIRE DIVISION CHIEF            | CUNC     | BASE SALARIED EMP     | U26   |
| 5117      | FIRE INSPECTOR I               | CIAF     | BASE SALARIED EMP     | FI15  |
| 5116      | FIRE INSPECTOR SUPERVISOR      | CIAF     | BASE SALARIED EMP     | FI16  |
| 5107      | FIRE LIEUTENANT                | CIAF     | BASE SALARIED EMP     | C06A  |
| 5106      | FIRE PROTECTION ANALYST        | CUNC     | BASE SALARIED EMP     | U18   |
| 5022      | FIREARMS SPECIALIST            | COTH     | BASE SALARIED EMP     | C17   |
| 5110      | FIREFIGHTER I                  | CIAF     | BASE SALARIED EMP     | C02A  |
| 5109      | FIREFIGHTER II                 | CIAF     | BASE SALARIED EMP     | C04A  |
| 5018      | INVESTIGATOR SUPERVISOR        | CUNC     | BASE SALARIED EMP     | U23   |
| 5009      | LIEUTENANT POLICE              | CFOP     | BASE SALARIED EMP     | D06A  |
| 5406      | LIFEGUARD I                    | CCWA     | BASE SALARIED EMP     | H54B  |
| 5407      | LIFEGUARD I PT                 | COTH     | BASE HOURLY           | H15   |

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|-----------|--------------------------------|----------|-----------------------|-------|
| 5405      | LIFEGUARD II                   | CCWA     | BASE SALARIED EMP     | H58B  |
| 5404      | LIFEGUARD LT                   | CCWA     | BASE SALARIED EMP     | H60B  |
| 5408      | OCEAN RESCUE DEPUTY DIV CHIEF  | CUNC     | BASE SALARIED EMP     | U24   |
| 5401      | OCEAN RESCUE DIVISION CHIEF    | CUNC     | BASE SALARIED EMP     | U25   |
| 6140      | PARK RANGER                    | COTH     | BASE SALARIED EMP     | C16   |
| 6143      | PARK RANGER ASSISTANT MANAGER  | CUNC     | BASE SALARIED EMP     | U18   |
| 6144      | PARK RANGER MANAGER            | CUNC     | BASE SALARIED EMP     | U21   |
| 6142      | PARK RANGER PT                 | COTH     | BASE HOURLY           | H16A  |
| 6141      | PARK RANGER SUPERVISOR         | CUNC     | BASE SALARIED EMP     | U18   |
| 5006      | POLICE CAPTAIN                 | CUNC     | BASE SALARIED EMP     | U25   |
| 5001      | POLICE CHIEF                   | CUNC     | BASE SALARIED EMP     | U29   |
| 5007      | POLICE COMMANDER               | CUNC     | BASE SALARIED EMP     | U25   |
| 5004      | POLICE DIVISION MAJOR          | CUNC     | BASE SALARIED EMP     | U26   |
| 5311      | POLICE FLEET SPECIALIST        | CCWA     | BASE SALARIED EMP     | H28B  |
| 5011      | POLICE OFFICER                 | CFOP     | BASE SALARIED EMP     | D02A  |
| 8001      | POLICE OFFICER TRAINEE         | CFOP     | BASE SALARIED EMP     | D08A  |
| 5016      | POLICE PHOTO                   | CCWA     | BASE SALARIED EMP     | H31B  |
| 1529      | POLICE RECORDS TECHNICIAN      | CCWA     | BASE SALARIED EMP     | H20B  |
| 1530      | POLICE RECORDS TECHNICIAN PT   | CCWA     | BASE HOURLY           | H20A  |
| 5020      | POLICE RTCC SPECIALIST         | CUNC     | BASE SALARIED EMP     | U15   |
| 5021      | POLICE TRAIN & WELLNESS PROGRA | CUNC     | BASE SALARIED EMP     | U15   |
| 5415      | POOL GUARD I                   | CCWA     | BASE SALARIED EMP     | H50B  |
| 5416      | POOL GUARD I PT                | COTH     | BASE HOURLY           | H12B  |
| 5414      | POOL GUARD II                  | CCWA     | BASE SALARIED EMP     | H52B  |
| 5309      | PROPERTY & EVIDENCE TECH I     | CCWA     | BASE SALARIED EMP     | H23B  |
| 5308      | PROPERTY & EVIDENCE TECH II    | CCWA     | BASE SALARIED EMP     | H27B  |
| 5209      | PSCU ADMINISTRATOR             | CUNC     | BASE SALARIED EMP     | U25   |
| 5306      | PUBLIC SAFETY SPECIALIST       | CCWA     | BASE SALARIED EMP     | H23B  |
| 5310      | SCHOOL CROSSING GUARD          | CAFC     | BASE HOURLY           | H05A  |
| 5520      | SCHOOL LIAISON OFFICER         | COTH     | BASE HOURLY TEMPORARY | HR06  |
| 5522      | SCHOOL RESOURCE PROG COOR      | CUNC     | BASE HOURLY TEMPORARY | U11   |
| 5010      | SERGEANT POLICE                | CFOP     | BASE SALARIED EMP     | D04A  |
| 5114      | TECH ASST TO FIRE MARSHALL     | CUNC     | BASE SALARIED EMP     | U23   |
| 5304      | TRAFFIC CONGESTION FIELD SPEC  | COTH     | BASE SALARIED EMP     | C11   |

**NEW BUSINESS 4**

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Finance and Economic Resiliency Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 28, 2024

SUBJECT: **A REFERRAL TO DISCUSS A PROPOSED RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING AS THE POLICY OF THE CITY OF MIAMI BEACH THAT MEDICAL MARIJUANA IS MEDICINE AND NOT AN ILLICIT RECREATIONAL DRUG; THAT EMPLOYEES OF THE CITY WHO ARE PRESCRIBED MEDICAL MARIJUANA BY A PROPERLY LICENSED MEDICAL PROFESSIONAL IN COMPLIANCE WITH ALL REQUIREMENTS SET FORTH IN FLORIDA LAW SHALL BE PERMITTED TO USE THIS PROPERLY PRESCRIBED MEDICATION DURING NONWORKING HOURS AND SUFFICIENTLY IN ADVANCE OF ANY SCHEDULED WORK SHIFT IN ORDER TO ENSURE THAT THE EMPLOYEE IS NOT IMPAIRED BY THE USE OF THE MEDICAL MARIJUANA WHILE ON THE JOB; AND DIRECTING THE CITY ADMINISTRATION TO DRAFT AND PROMULGATE WRITTEN DIRECTIVES EFFECTUATING THIS CITY POLICY**

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### **BACKGROUND/HISTORY**

At the February 21, 2024 City Commission meeting, the Mayor and City Commission approved a referral (Item C7 O) the Finance and Economic Resiliency Committee (FERC or Committee) to discuss a proposed resolution to establish a policy for the City that would allow employees of the City who are prescribed medical marijuana by a properly licensed medical professional to be permitted to use properly prescribed medication during nonworking hours and sufficiently in advance of any scheduled work shift. A proposed resolution sponsored by Commissioner Rosen Gonzalez was presented at the meeting but was not adopted and was instead referred to FERC for further discussion.



This item was included on the May 24, 2024 FERC agenda but was not reached.

## **ANALYSIS**

After the constitutional amendment to legalize medical marijuana passed in Florida in November 2016, the legislature enacted Section 381.986, Florida Statutes, which provides for medical marijuana to treat certain medical conditions.

### **The legislature provided for important employment-related matters to be directly addressed by this state law:**

- This law provides that employers may “establish, continue, or enforce a drug-free workplace program or policy.”
- This law does not require an employer to accommodate the medical use of marijuana in any workplace or to accommodate an employee working while under the influence of marijuana.
- Importantly, the statute explicitly states that the legalization of medical marijuana in Florida “does not create a cause of action against an employer for wrongful discharge or discrimination” based on an employee’s marijuana use.

### **While considering the framework of the State’s medical marijuana statute, please also note important issues regarding the illegality of marijuana under Federal law and the impact of Drug-Free Workplace policies.**

- Under Federal law marijuana or most cannabis is still a Schedule 1 substance under the Controlled Substances Act (CSA) (see [Drug Scheduling \(dea.gov\)](https://www.dea.gov/drug-scheduling)) and therefore it is not legal. Per the Congressional Research Service in [The Federal Status of Marijuana and the Expanding Policy Gap with States \(congress.gov\)](https://www.congress.gov/research/special/the-federal-status-of-marijuana-and-the-expanding-policy-gap-with-states), “Due to its status as a Schedule I controlled substance, the CSA prohibits the manufacture, distribution, dispensation, and possession of marijuana except in federal government-approved research studies.”
- Per the Drug Enforcement Administration (DEA), marijuana is considered to have a high potential for dependency and no recognized medical use under Federal law. The DEA lists these below exceptions to derived cannabis drugs as quoted in the [Drug Fact Sheet: Marijuana/Cannabis \(dea.gov\)](https://www.dea.gov/drug-fact-sheet-marijuana-cannabis):
  - Marinol, a Schedule III drug, is a synthetic version of THC in a capsule (also referred to as dronabinol, the generic or International Nonproprietary Name given to THC), prescribed for the control of nausea and vomiting caused by chemotherapeutic agents used in the treatment of cancer and to stimulate appetite in acquired immune deficiency syndrome (AIDS) patients.
  - Syndros, a Schedule II drug, is an oral dronabinol (THC) solution that is used for the treatment of anorexia associated with weight loss in

patients who have failed to respond adequately to conventional antiemetic treatments.

- Epidoloex, a Schedule V drug, is an oral solution of cannabidiol (CBD) that has no more than 0.1% THC, used to treat two epilepsy conditions, Dravet syndrome and Lennox-Gestaut syndrome.

- The U.S. Department of Transportation (DOT) prohibits the use of Schedule 1 drugs by any CDL driver (see [DOT "Medical Marijuana" Notice | US Department of Transportation](#)). A CDL driver will be medically disqualified if he or she uses any type of Schedule I controlled substance, including marijuana. Many City employees utilize a CDL as a requirement of their job.

- Per the U.S. Department of Labor (DOL), as described at [Preventing Substance Use in the Workforce | U.S. Department of Labor \(dol.gov\)](#): “Under the [Drug-Free Workplace Act of 1988](#), federal workplaces and non-federal workplaces with a federal contract of \$100,000 or more or a federal grant in any amount must implement a [Drug-Free Workplace Program](#), which includes drug testing requirements.”

- The Human Resources (HR) Director certifies that the City of Miami Beach is a Drug-Free Workplace on all required Federal grant forms.

**There are also important impacts of Drug-Free Workplace policies under Florida law:**

- As stated in [drug-free-workplace-guide.pdf \(myfloridacfo.com\)](#), provided by the State of Florida Division of Workers' Compensation, “In 1990, legislation was enacted that created the Florida Drug-Free Workplace Program. The intent was to ‘promote drug-free workplaces in Florida, in order that employers (would) be afforded the opportunity to maximize their levels of productivity, enhance their competitive positions in the marketplace, and reach their desired levels of success without experiencing the costs, delays, and tragedies associated with work-related accidents resulting from drug abuse by employees.’” (See Sections 440.101 and 102, *Florida Statutes*)

- The City's Human Resources (HR) Director or Risk Manager also certifies annually that the City of Miami Beach is a Drug-Free Workplace to the State of Florida Division of Workers' Compensation.

- This certification provides the City of Miami Beach an annual five percent (5%) credit (a discount valued at almost \$30k annually) to our workers' compensation insurance premiums as the City is self-insured.

- The City also purchases excess worker's compensation (WC) insurance. We anticipate that not maintaining a Drug-Free Workplace Program would impact the ability of the City to re-insure.

- Under State Law, the City is not required to provide an employee WC benefits if drugs are found in the employee's system at or above threshold levels.

- The City could be exposed to comparative or contributory negligence if we were to allow an accommodation for the use of a Schedule 1 drug and impairment was a contributory factor in a workplace accident.

**There are important impacts of Drug-Free Workplace policies under the City's adopted Personnel Rules and bargaining agreements:**

- The City's Personnel Rules describe the City's Drug-Free Workplace Program. The City's recruitment website includes language that the City is a Drug-Free Workplace. New job candidates for safety sensitive jobs are provided Drug-Free Workplace notices before pre-employment drug testing.
- For many years, there have been established and agreed-upon random (and reasonable suspicion) drug and alcohol testing programs under each of the City's labor agreements which comport with Federal and State of Florida Drug-free Workplace requirements.
  - Each labor agreement defines the testing thresholds under which an employee may be terminated for violating the City's Drug-Free Workplace policy.
  - Marijuana is unique in that widespread drug-testing practices may show a presence of THC (delta- 9-tetrahydrocannabinol), believed to be the main ingredient that produces the psychoactive effect, in the body for up to 30 days. Therefore, many tests may show a "positive" result beyond a period of impairment after use.
  - Many times, if the employee is otherwise in good standing, and if the employee, the union, and management agrees, an employee who tests positive during a drug or alcohol test may be offered a "Last Chance Agreement" during a defined rehabilitation period rather than be terminated for a substance abuse issue. Most employees who are offered this opportunity complete this probationary period successfully.
  - Any proposed change of policy or procedure to the drug and alcohol procedure must be bargained with each union.
- The City of Miami Beach's current employee drug testing practices and procedures are designed with the goals of engaging and assisting employees with a substance use disorder as well as to maintain a safe workplace. The City provides a confidential and free Employee Assistance Program to assist any employee who may have an issue.

**Human Resources thoughtfully engages with employees, Departments, and the City Attorney's Office to provide reasonable accommodations to any employee impacted in the workplace by a disability or medical condition.**

- If a job candidate or an employee requests a "reasonable accommodation" for a disability, including a medical condition which may be disabling to their ability to perform their job, the City already has an obligation under the Federal Americans with Disabilities Act (ADA) to engage with the employee in an "interactive process" to

determine what, if any, reasonable accommodations may be agreed upon for the job candidate or employee to perform the “essential functions of the job.”

- An agreed-upon reasonable accommodation is unique to the person and their specific medical circumstances and abilities.
- What may be reasonable for one employee may not be reasonable for another employee, based on the nature of the job, or any other factor which may impact the City’s ability to agree to an accommodation as reasonable at that time.
- Sometimes a Fitness for Duty Exam is warranted to determine the medical necessity of an accommodation(s).
- If a job candidate or an employee produces a medical marijuana card, it is the current practice of HR to engage with the candidate or employee in an interactive process under the ADA to determine what reasonable accommodation, if any, may be made.

**Conflicts between Federal and state laws** are currently being challenged and cases are working their way through courts and appeals:

- The conflicts between state and Federal Law in and of themselves creates a series of challenges in employment practices and confusion with employees as to what is “allowed.” There are many things in flux, both at the state and federal level, which could result in new legal and administrative developments regarding marijuana. These will not necessarily result in clarity or less conflict between state and Federal law.

- See [ORTIZ v. DEPARTMENT OF CORRECTIONS \(2023\) | FindLaw](#) for a recent case in Florida where the termination of a correctional officer who was a regular user of medicinal marijuana was sustained by both the state Public Employees Relation Commission and Florida’s First District Court of Appeal. “Because Mr. Velez Ortiz could not perform an important requirement of the job of corrections officer, training with and using firearms, without being in violation of federal law and causing other agency personnel to be in violation of federal law, his termination was lawful.” The State Supreme Court declined to hear the case.

- California just passed legislation, Assembly Bill No. 2188 which went into effect January 1, 2024, which makes it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person’s use of cannabis off the job and away from the workplace, except for preemployment drug screening, as specified, or upon an employer-required drug screening test that has found the person to have non-psychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids.

The bill would exempt certain applicants and employees from the bill’s provisions, including employees in the building and construction trades and applicants and

employees in positions requiring a federal background investigation or clearance, as specified. The bill would specify that it does not preempt state or federal laws requiring applicants or employees to be tested for controlled substances as a condition of employment, receiving federal funding or federal licensing-related benefits, or entering into a federal contract.

- As discussed in recent literature and as cited in this recent legislation “employers now have access to multiple types of tests that do not rely on the presence of non-psychoactive cannabis metabolites. These alternative tests include impairment tests, which measure an individual employee against their own baseline performance and tests that identify the presence of THC in an individual’s bodily fluids.”

The City Administration is exploring with its Medical Review Officer new, valid tests for cannabis which may be better at showing impairment. These have been recently approved for use by the DOL. As noted above, use of new types of tests, including impairment tests using saliva or other bodily fluids would need to be agreed to in collective bargaining. More valid measures of impairment would potentially reduce the potential of a “positive” test for cannabis when an employee is not impaired at work, but used marijuana in the recent past for medical purposes legally under Florida state law.

- The U.S. Justice Department recommended on Tuesday, April 30, 2024, to commence a rule-making process, expected to take many months, to ease federal restrictions on rules surrounding medical marijuana. This rule making process is not expected to end federal criminalization of the drug, but may include changing the schedule classification of cannabis.
- On May 1, 2024, a bill was introduced in the U.S. Senate legalize marijuana and removed it from Schedule 1 on the controlled substances list. As of now, no Republicans have signed on to sponsor the bill in the U.S. House of Representatives.
- In Florida, voters will decide on a referendum for a constitutional amendment on the November 5, 2024 ballot to legalize recreational marijuana in Florida for adults. Governor DeSantis and the Republican Party have come out in opposition to the referendum.

### **FISCAL IMPACT STATEMENT**

NA

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

The Business Impact Estimate (BIE) was published on . See BIE at:  
<https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

## **FINANCIAL INFORMATION**

### **CONCLUSION**

If recommended by the Committee, members of the City Commission will discuss whether to adopt this Resolution as policy and direct the Administration to propose new workplace guidelines that would better allow City employees to use legally prescribed medical marijuana during nonworking hours and sufficiently in advance of any scheduled work shift, and that procedures and practices would be developed and adopted to more broadly accommodate the use of medical marijuana by employees of the City of Miami Beach provided that an employee was not impaired at work. The Administration has provided information on employment practices and legal considerations to inform the Committee's debate and its consideration of the proposed Resolution to adopt this policy.

### **Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

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 Kristen Rosen Gonzalez

### **Co-sponsor(s)**

# MIAMI BEACH

## COMMISSION MEETING

Hybrid Meeting - Commission Chamber and Zoom

1700 Convention Center Drive, Miami Beach, FL 33139

Webinar: <https://miamibeachfl-gov.zoom.us/j/81392857671>

Telephone: 1.305.224.1968 or 888.475.4499 (Toll-Free)

Webinar ID: 813 9285 7671

July 24, 2024 - 8:30 AM

Mayor Steven Meiner

Commissioner Tanya K. Bhatt

Vice-Mayor Laura Dominguez

Commissioner Alex Fernandez

Commissioner Joseph Magazine

Commissioner Kristen Rosen Gonzalez

Commissioner David Suarez

City Manager Eric T. Carpenter

City Attorney Ricardo J. Dopico

City Clerk Rafael E. Granado

## **AFTER ACTION**

The Meeting was called to order at 8:32:17 a.m.

### **8:32:30 a.m.**

Rafael E. Granado, City Clerk, explained the process for participating and for providing public comment during the Hybrid Commission Meeting and indicated the webpage to visit, the telephone numbers to call, and the location to go for participation.

### **City Clerk's Note:**

On **July 24, 2024**, commencing at **8:30 AM**, the City of Miami Beach hosted a Hybrid Commission Meeting. During the Hybrid Commission Meeting, the City Commission was physically present in the Miami Beach City Hall, 3<sup>rd</sup> Floor Commission Chamber, 1700 Convention Center Drive, Miami Beach, FL 33139. Applicants and the public were encouraged to attend the meeting virtually (as provided below). However, members of the public who wished to attend the meeting or provide public comment in person appeared at the Commission Chamber.

### **Observing the Commission Meeting:**

The Commission Meeting was broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on Breezeline Cable channel 660, AT&T U-verse channel 99, Hotwire Communications channel 395, and ROKU device on PEG.TV channel. Closed captioning displays of the audio portion of the Commission Meeting were available in English and Spanish on MBTV. The Commission Meeting was also broadcast live on social media at <http://facebook.com/cityofmiamibeach>. Closed captioning displays of the audio portion of the Commission Meeting were available in English on Facebook.

### **Submitting written public comment before the Commission Meeting:**

The public could submit written comments by sending an email to [CityClerk@miamibeachfl.gov](mailto:CityClerk@miamibeachfl.gov) by 5:00 p.m. the day before the Commission Meeting. Any such emails were included as a part of the meeting record.

of the Miami Beach Golf Course Renovation project that has a total project budget of \$9.2 million, of which \$1.0 million was appropriated in FY 2024.

FERC requested that the Administration provide a list of major capital projects with funding gaps, as well as a proposed funding plan for the Fire Station 1 project at the July 12, 2024, FERC meeting.

C6 E REPORT OF THE JUNE 28, 2024 FINANCE AND ECONOMIC RESILIENCY COMMITTEE MEETING.

Applicable Area: Citywide  
Finance

**Action:** Report was given.

**OLD BUSINESS**

1. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE AT ITS MARCH 22, 2024, MEETING TO DIRECT THE ADMINISTRATION TO INITIATE NON-BINDING DISCUSSIONS WITH LIVE NATION WORLDWIDE, INC. REGARDING THE POSSIBLE CONSTRUCTION OF A NEW THEATER AT THE JACKIE GLEASON THEATER SITE; AND REFERRING THIS MATTER BACK TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE FOR FURTHER DISCUSSION. Item deferred to the July 26, 2024, FERC meeting.

**NEW BUSINESS**

2. DISCUSS IDEAS TO INCREASE UTILIZATION OF BALLROOMS AT THE MIAMI BEACH CONVENTION CENTER. Item was heard and closed.

3. DISCUSS/TAKE ACTION TO POTENTIALLY ESTABLISH A PILOT PROGRAM FOR THE UTILIZATION OF CAMERA TECHNOLOGY IN ORDER TO ISSUE WARNINGS TO MOTORISTS CREATING EXCESSIVE AND UNNECESSARY TRAFFIC CONGESTION BY BLOCKING THE BOX IN VIOLATION OF STATE LAW. Commissioner Bhatt motioned to have this Item heard at the Commission with a favorable recommendation to make the "Block the Box" related state law adjustment a legislative priority. The Administration is to also issue an LTC on the PSS deployment. Commissioner Magazine seconded the motion.

4. A REFERRAL TO DISCUSS A PROPOSED RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING AS THE POLICY OF THE CITY OF MIAMI BEACH THAT MEDICAL MARIJUANA IS MEDICINE AND NOT AN ILLICIT RECREATIONAL DRUG; THAT EMPLOYEES OF THE CITY WHO ARE PRESCRIBED MEDICAL MARIJUANA BY A PROPERLY LICENSED MEDICAL PROFESSIONAL IN COMPLIANCE WITH ALL REQUIREMENTS SET FORTH IN FLORIDA LAW SHALL BE PERMITTED TO USE THIS PROPERLY PRESCRIBED MEDICATION DURING NONWORKING HOURS AND SUFFICIENTLY IN ADVANCE OF ANY SCHEDULED WORK SHIFT IN ORDER TO ENSURE THAT THE EMPLOYEE IS NOT IMPAIRED BY THE USE OF THE MEDICAL MARIJUANA WHILE ON THE JOB; AND DIRECTING THE CITY ADMINISTRATION TO DRAFT AND PROMULGATE WRITTEN DIRECTIVES EFFECTUATING THIS CITY POLICY. Item to be heard at the Commission with an unfavorable recommendation and to modify the resolution to allow for certain exemptions. The motion was made 2 to 1.

5. DISCUSS FUNDING FOR ARTISTIC WAYFINDING SIGNAGE AT CITY HALL. Commissioner Bhatt motioned to have this Item heard at the Commission with a favorable recommendation to direct the Administration to develop an artistic wayfinding signage program at City Hall. Commissioner Rosen Gonzalez seconded the motion. All in favor.