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RESOLUTION R23- 180

A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING TO AMEND THE OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2025 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BOYNTON BEACH, FLORIDA AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC, OFFICERS & DETECTIVES UNIT; AND PROVIDING AN EFFECTIVE DATE.

13 **WHEREAS**, The City and the Union agreed to the Career Officer Program, designed
14 to promote and reward officers with a high level of training and educational achievements;
15 and

16 **WHEREAS**, the PBA's membership ratified the MOU with 62 in favor and 1 not in
17 favor; and

18 **WHEREAS**, the City Commission of the City of Boynton Beach deems it to be in the
19 best interests of the residents and citizens of the City to approve and authorize the City
20 Manager to sign a Memorandum of Understanding to amend the October 1, 2022 through
21 September 30, 2025 Collective Bargaining Agreement between the City of Boynton Beach,
22 Florida and The Palm Beach County Police Benevolent Association, Inc., Officers &
23 Detectives Unit.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY
OF BOYNTON BEACH, FLORIDA, THAT:**

25 Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby
26 ratified and confirmed by the City Commission.

27 Section 2. The City Commission of the City of Boynton Beach, Florida does
28 hereby approve and authorize the City Manager to sign a Memorandum of Understanding

29 to amend the October 1, 2022 through September 30, 2025 Collective Bargaining
30 Agreement between the City of Boynton Beach, Florida and The Palm Beach County Police
31 Benevolent Association, Inc., Officers & Detectives Unit. A copy of the Memorandum of
32 Understanding is attached hereto and incorporated herein by reference as Exhibit "A."

33 Section 3. This Resolution will become effective immediately upon passage.

34 **PASSED AND ADOPTED** this 5th day of December, 2023.

35 CITY OF BOYNTON BEACH, FLORIDA

36		YES	NO
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39	Mayor – Ty Penserga	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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41	Vice Mayor – Thomas Turkin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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43	Commissioner – Angela Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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45	Commissioner – Woodrow L. Hay	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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47	Commissioner – Aimee Kelley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	VOTE	<u>5-0</u>	

53 ATTEST:

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56 Tammy Stanzione, CMC
57 Deputy City Clerk


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59 Ty Penserga
60 Mayor

61 (Corporate Seal)



62 APPROVED AS TO FORM:

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65 Shawna G. Lamb
City Attorney

**MEMORANDUM OF UNDERSTANDING TO AMEND 10/1/2022-9/30/2025
COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BOYNTON
BEACH, FLORIDA, AND THE PALM BEACH COUNTY POLICE BENEVOLENT
ASSOCIATION, INC.**

POLICE OFFICERS AND DETECTIVES

This Memorandum of Understanding is entered into between The City of Boynton Beach, Florida (hereinafter referred to as the "City") and the Palm Beach County Police Benevolent Association, Inc. (hereinafter referred to as the "PBA").

WHEREAS, the City and the PBA are Parties to a Collective Bargaining Agreement, effective October 1, 2022, through September 30, 2025 (the "CBA"); and

WHEREAS, the City and the PBA agree to amend Article 21 of the CBA (Career Officer Program) as follows:

**ARTICLE 21
CAREER OFFICER PROGRAM**

The City and the Union agree to the following Career Officer Program, designed to promote and reward officers with a high level of training and educational achievements.

A. Career Officer Levels and Qualifications:

During the designated open enrollment period in March of each year¹, officers may apply for the Career Officer Program, which consists of the Career Officer 1 and Career Officer 2 levels and requires the following minimum qualifications:

Career Officer 1 –

- Completion of ten (10) years of continuous service with the Boynton Beach Police Department.
- Collection of a total of 4 skills, which are defined as a total of 160 hours of approved training, 60 college credits from an accredited college, and/or military experience (either 2 years active or 4 years reserve).
- Skills from approved training courses are hours offered at an accredited educational institution, such as criminal justice career development courses, and Criminal Justice Standards Training Commission (CJSTC), State of Florida, Florida Department of Law Enforcement (FDLE), and/or Agency-approved courses. Such skills are limited to 1 skill per "bucket" (described below and in the corresponding General order), but hours from two (2) different "buckets" may be added together to make 1 skill.
- Officers meeting the above qualifications will receive 4% to their base rate of pay beginning October 1 of that upcoming fiscal year.

¹ Open enrollment will be the entirety of the month of March.

Career Officer 2 –

- Completion of fifteen (15) years of continuous service with the Boynton Beach Police Department.
- Collection of a total of three (3) additional skills, defined as 160 hours of approved training and/or the above-described college credits or military experience. These additional skills must be obtained after submitting the application for Career Officer 1, except for those grandfathered officers described below.
- Officers who have more than ten (10) years of experience with the Boynton Beach Police Department at the time of execution of this memorandum of understanding (MOU) are permitted to use approved training that was not considered for the Career Officer 1 level, and those officers may apply directly for Career Officer 2 if they meet all of the qualifications (for a total of 7% base rate of pay increase).
- If approved, the officer will receive an additional 3% to his/her base rate of pay on October 1 of that upcoming fiscal year.

B. Career Officer Program Board

The Career Officer Program Board will be comprised of four (4) sworn members of the Boynton Beach Police Department holding the rank of Sergeant or above, two (2) members selected by the PBA, and two (2) members selected by the Chief of Police. There will be a fifth board member from the Human Resources Department, who will serve and vote only if there is a need for a tie-breaker. The Board will evaluate submissions during the open enrollment period, deciding by majority vote if the qualifications were met.

The Parties agree that decisions of the Career Officer Program Board are final and binding and are not subject to the grievance and arbitration provisions of the Parties' CBA.

C. Further Skill Specifications

- Conferences will not be considered as training unless specifically approved by the Board.
- Online training will be considered, pending approval by the Board.
- Training classes must be more than 24 hours in length to be considered unless approved by the Board.
- College hours/credits must be from an accredited college.
- Skills may be obtained from training on or off duty.

- Skills will fit into the following "buckets" or categories:
Buckets (Skill Categories) –
 - o Traffic
 - o Investigations
 - o Narcotics
 - o Road Patrol

- K-9 Enforcement
- Training
- Leadership/Admin
- Community Policing
- Tactical
- 60 College Credits (from an accredited college)
- Military Experience (2 years active or 4 years reserve)

Additional buckets may be added at the Board's approval.

D. Other Considerations -

- Section 1:

If a career officer is promoted to Sergeant, he or she will be placed in the Sergeant's step that provides a pay increase, and he or she will remain in that pay step until he or she meets the corresponding years of service, after which he or she will continue to receive step pay increases based on the sergeant's existing step pay plan.

- Section 2:

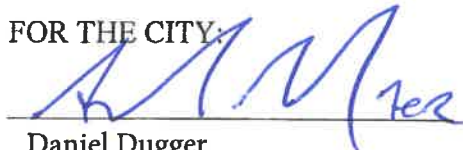
Officers receiving assignment pay for Detective First Grade (see Article 7) may not both receive that assignment pay and participate in the Career Officer Program.

[EXECUTION PAGE TO FOLLOW]

The CITY and the PBA agree further:

1. That the agreed upon changes to the aforementioned Article shall appear in said Article without modifying any other existing subsection;
2. In consideration of the conditions stated herein, the terms and sufficiency of which are hereby agreed to and acknowledged by the Union and the City;
3. That this Memorandum of Understanding shall be effective upon execution by both Parties; and
4. That the Parties represent that they have full legal authority to enter into this Memorandum of Understanding.

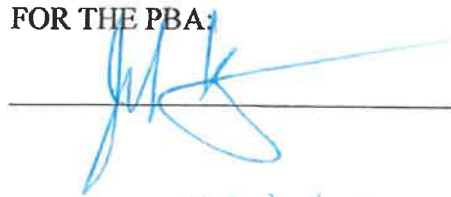
FOR THE CITY:



Daniel Dugger
City Manager

DATE : 12/05/23

FOR THE PBA:



DATE : 11/8/23

Approved as to form and legal
sufficiency:



Shawna G. Lamb, City Attorney