

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2020-141-E**

5 AN ORDINANCE APPROPRIATING \$650,000.00 FROM
6 GENERAL FUND - GENERAL SERVICES DISTRICT (GSD)
7 FUND BALANCE TO GENERAL COUNSEL - JUDGMENTS,
8 CLAIMS, & LOSSES IN ORDER TO PROVIDE FUNDING FOR
9 THE SETTLEMENT OF CLAIMS OR POTENTIAL CLAIMS
10 ASSERTED BY TEMPORARY CIVILIAN BAILIFFS EMPLOYED
11 BY THE CITY OF JACKSONVILLE, AS INITIATED BY
12 B.T. 20-056; APPROVING AND AUTHORIZING THE
13 EXECUTION OF SETTLEMENT AGREEMENTS; AUTHORIZING
14 THE GENERAL COUNSEL, OR HIS DESIGNEE, TO TAKE
15 FURTHER ACTION TO EFFECTUATE THE SETTLEMENTS;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS**, since the City's OBRA (Omnibus Budget Reconciliation
19 Act) Plan was implemented in October 2010, certain temporary civilian
20 bailiffs ("Civilian Bailiffs") employed by the City were not placed
21 into the OBRA plan consistently and instead were placed in Social
22 Security; and

23 **WHEREAS**, the City of Jacksonville desires to correct the
24 misplacement of Civilian Bailiffs into Social Security instead of
25 OBRA by entering into individual settlement agreements with these
26 employees, which will resolve liability to the Civilian Bailiffs for
27 previously unpaid OBRA contributions ("Settlement Agreements"); and

28 **WHEREAS**, pursuant to section 112.307(a)(2)(ii), Jacksonville
29 Ordinance Code, the Mayor shall have the authority to compromise and
30 settle a claim against the City not exceeding \$50,000.00 upon receipt
31 of favorable written recommendations from the General Counsel and the

1 Director of Finance and Administration; and

2 **WHEREAS**, each of the individual Settlement Agreements with the
3 Civilian Bailiffs do not exceed a settlement amount of \$50,000.00;
4 and

5 **WHEREAS**, the Council finds that it is in the best interests of
6 the City and the public that the Civilian Bailiffs' claims be resolved
7 without resorting to litigation and incurring litigation costs and
8 expenses; now therefore

9 **BE IT ORDAINED** by the Council of the City of Jacksonville:

10 **Section 1. Appropriation.** For the 2019-2020 fiscal year,
11 within the City's budget, there are hereby appropriated the indicated
12 sum(s) from the account(s) listed in subsection (a) to the account(s)
13 listed in subsection (b):

14 (B.T. 20-056, attached hereto as **Exhibit 1** and incorporated herein
15 by this reference)

16 (a) Appropriated from:

17 See B.T. 20-056 \$650,000.00

18 (b) Appropriated to:

19 See B.T. 20-056 \$650,000.00

20 (c) Explanation of Appropriation - The funding above is an
21 appropriation from General Fund- GSD Fund Balance to pay
22 funds in settlement of the claims or potential claims as
23 described herein.

24 **Section 2. Purpose.** The purpose of the appropriation in
25 Section 1 is to settle the above-referenced individual claims or
26 potential claims for total not to exceed \$650,000.00.

27 **Section 3. Approval and Ratification of Settlement**
28 **Agreements.** The Office of General Counsel is authorized to prepare
29 the individual Settlement Agreements by and between the City and each
30 of the Civilian Bailiffs to satisfy the individual claims asserted,
31 which are approved and ratified substantially in the form attached

1 hereto as **Exhibit 2** and incorporated herein. The summary of the
2 Civilian Bailiffs' claims or potential claims for a total not to
3 exceed \$650,000.00 are attached hereto as **Exhibit 3**.

4 **Section 4. Further Action Authorized.** The General Counsel,
5 or his designee, and/or the Director of Employee Services are
6 authorized pursuant to the respective Code to take all further action
7 and to execute all other documents necessary to effectuate the
8 approved and ratified Settlement Agreements.

9 **Section 5. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form approved:

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15 /s/ Paige H. Johnston

16 Office of General Counsel

17 Legislation Prepared By: Tiffiny Douglas Pinkstaff

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