CORRECTED

AGENDA

SPECIAL CITY COUNCIL MEETING

WEDNESDAY, DECEMBER 30, 2015

7:00 p.m. City Council Chambers, City Hall - 45 Lyon Terrace Bridgeport, Connecticut

Prayer

Pledge of Allegiance

Roll Call

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

Communication from Mayor re: (Ref. #185-14) Proposed Revised Collective Bargaining Agreement with the Bridgeport City Supervisor's Association (BCSA) entered into on November 20, 2015 (including the document dated October 14, 2015), referred to Committee of the Whole.

Special Note: This agenda has been updated to remove the notation as stated below

REMOVED:

(Please note: due to the significance of the matter and time being of the essence, the City Council has to accept or reject the Collective Bargaining Agreement prior to the expiration date that is due to expire on Sunday, January 3, 2016)

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7:00 p.m.
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Bridgeport, Connecticut

Prayer

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Roll Call

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(Please note: due to the significance of the matter and time being of the essence, the City Council has to accept or reject the Collective Bargaining Agreement prior to the expiration date that is due to expire on Sunday, January 3, 2016)

CITY OF BRIDGEPORT

SPECIAL CITY COUNCIL MEETING

WEDNESDAY, DECEMBER 30, 2015

7:30 PM

CALL TO ORDER

Mayor Ganim called the meeting to order at 7:02 p.m.

PRAYER

Mayor Ganim then requested Council Member McBride-Lee to lead those present in prayer.

PLEDGE OF ALLEGIANCE

Mayor Ganim then requested Council Member Casco to lead those present in reciting the Pledge of Allegiance.

ROLL CALL

City Clerk Martinez called the roll.

The following members were present:

130 th District: Kathryn Bukovsky		
131st District: Denese Taylor-Moye	A	
132 nd District: M. Evette Brantley, John Olson	2016 TTE	=
133 rd District: Jeanette Herron	(C)	~
134th District: Michelle Lyons, AmyMarie Vizzo-Panico	cia 🖺 🔉	은짜
135 th District: Mary McBride-Lee, Richard Salter	<u> </u>	E C
136 th District: Jose Casco, Alfredo Castillo		Z
137 th District: Aidee Nieves, Milta Feliciano	- 무	OE
138 th District: Anthony Paoletto, Nessah Smith	م.	71
139 th District: Eneida Martinez	5	2
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A quorum was present.

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

32-15 Communication from Mayor re: (Ref. #185-14) Proposed Revised Collective Bargaining Agreement with the Bridgeport City Supervisor's Association (BCSA) entered into on November 20, 2015 (including the document dated October 14, 2015), referred to Committee of the Whole.

Mayor Ganim suggested that a caucus for the Council Members might be in order.

** COUNCIL MEMBER LYONS MOVED TO ENTER INTO CAUCUS TO DISCUSS THE PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA).

- ** COUNCIL MEMBER BUKOVSKY SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

The Council Members entered into caucus to discuss the proposed bargaining agreement at 7:07 p.m. They returned to public session at 8:00 p.m.

Mayor Ganim then announced that he would be asking the Council if they wished to refer the item to the Committee as a whole. After the Council members discussed the issue, the Committee member could vote it out of the Committee if that is what the Committee desired. The item would then be presented to the Council as a whole for discussion and possible vote. The Council has the right to review this agreement and either accept or reject the item.

Mayor Ganim then read the following letter into the record:

December 29, 2015

Dear Honorable Members,

As Mayor of the City of Bridgeport and pursuant to the provisions of the Bridgeport City Charter, Chapter 5, Sec. 5(a), I hereby provide written notice that I will be convening a Special Meeting of the Bridgeport City Council on Wednesday, December 30, 2015 at 7:00 PM to afford the City Council an opportunity to timely act upon the proposed Revised Collective Bargaining Agreement between the City and the BPT City Supervisor's Association (CBA).

In accordance with the Connecticut State General Statutes, Sec. 7-474(b), the Council is advised to either accept or reject such CBA within 30 days from the expiration of the 14 days from the date the parties reaches such agreement. The CBA is subject to legislative body approval of necessary funds and provisions in conflict with the City Charter or ordinances, etc.

In this instance the CBA was reached by the negotiating parties on November 20, 2015 (including the document date October 14, 2015), so the 44 days for the City Council action would appear to expire on Sunday, January 3, 2016. Therefore it would be untimely for the City Council to wait until its Regular Meeting on Monday, January 4, 2016 to act upon the CBA.

Sincerely,

Joseph P. Ganim Mayor

- ** COUNCIL MEMBER FELICIANO MOVED TO REFER AGENDA ITEM 32-15 COMMUNICATION FROM MAYOR RE: (REF. #185-14) PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA) ENTERED INTO ON NOVEMBER 20, 2015 (INCLUDING THE DOCUMENT DATED OCTOBER 14, 2015), REFERRED TO COMMITTEE OF THE WHOLE.
- ** COUNCIL MEMBER MARTINEZ SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

Mayor Ganim stated for clarification purposes that the Council would be acting as the Committee as a whole.

- ** COUNCIL MEMBER BRANTLEY MOVED TO OPEN THE ITEM FOR DISCUSSION.
- ** COUNCIL MEMBER HERRON SECONDED.
- ** THE MOTION PASSED UNANIMOUSLY.

Mayor Ganim thanked everyone for the opportunity to address the Council and public. He said that the letter was self-explanatory regarding the timeliness of the matter. He then explained that there were two sections of the contract that he had brought to the Council's attention and indicated where the language was located in the contract. In Exhibit L – Clerical Errors Agreement, the date of December 31, 2015 was entered instead of October 31, 2015. This is a substantive change and would create a major impact on the City's finances. With an impending 20 million dollar budget deficit, Mayor Ganim said that he felt that the Council needed to be informed of this issue. He said that it would be important for the administration to reach a new agreement with the Supervisor's Union in order to move the matter forward.

He added that he was willing to meet with the Supervisor's Union and any interested Council Members first thing the next morning to begin discussions to resolve the issue.

Council Member Brantley said that she was very perplexed over what happened during the past few days. On behalf of her colleagues, she said that the she was a proud member of ASMCE. She added that her former Council Member colleagues were not provided with appropriate and accurate information during the negotiations. Council Member Brantley said that she would not be voting on this issue, because she was standing with her fellow union members. She said that it would be important to put a moratorium on hiring and separating out the union members from the unaffiliated members.

Council Member Brantley said that going forward, she would like to have accurate information given to the Council Members. Transparency is critical. It is not fair for this new Council to end up working on this issue because the previous Council Members did not receive accurate information. Now the Supervisors are left with uncertainty about their contract despite the fact that they previously worked hard on this contract.

Council Member Lyons said that the Council needs to change the ordinance to separate the Supervisors from the unaffiliated. This will allow the unions to make appropriate decisions. She also expressed concerns about the salaries that were involved with the unaffiliated positions. The

City is in a poor financial position. The best the Council can do is try to negotiate and make sure this type of situation does not happen again.

Council Member Lyons said that she and her Contracts Co-chair Milta Feliciano had been told that the funding was available in the budget. She said that it was important that the transparency would be there so that the current and future City employees would be protected. Changing the ordinance by separating out the unaffiliated employees from the Supervisor's Unions should prevent this from happening again.

Council Member Taylor-Moye said that this was very upsetting. She was afraid that if the Council voted to accept this contract as it stands, people would lose their jobs. She said that she would want to accept the agreement and didn't like giving people and taking it back, but the situation requires her to vote against the contract. She encouraged the Union representatives to go into negotiations with the Mayor to come up with something that works.

Council Member Olson said that he had no doubt that the Mayor's position was corrected based on his legal counsel. He said that the City will continue on and this will be corrected. He said that with all due respect, he still has many questions and will be voting to maintain the contract with all due respect to the Mayor.

Council Member Martinez said that it was sad that the Council had to sit in the meeting on this issue. She said that the Council Members were denied information from Labor Relations. The Council Members were told that there was funding set aside for this. The Council Members do not have their own legal counsel.

Council Member McBride-Lee said that she was happy that there would be negotiations tomorrow about this contract. She said that she had some very good friends involved in this. Not only has the union been had, but the Council Members have been had, also. It was good that the Mayor decided to sit down and speak with the Council Members and give them all the information. She said that she would be present during the negotiating the contract terms.

Mayor Ganim said that he would prefer a roll call vote by the Council to accept or reject the proposed Supervisor's Contract. Council Member Lyons noted that the Council would be working on changing the ordinances to separate the Supervisor's Union from the unaffiliated employees. Mayor Ganim was asked what time the meeting with the Supervisor's Union would be. He replied that there had not been any kind of agreement with the Union representatives about a meeting but that his door was open for them.

Council Member Martinez stated that the funeral for a 14 year old boy who was killed by gunfire on Christmas Eve was scheduled for the following day and gave the time of the services. Mayor Ganim said that he would touch base with the Council Members in the first thing in the morning.

** COUNCIL MEMBER MARTINEZ MOVED FOR THE COMMITTEE AS A WHOLE TO ACCEPT OR REJECT THE PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA) ENTERED INTO ON NOVEMBER 20, 2015 (INCLUDING THE DOCUMENT DATED OCTOBER 14, 2015).

** COUNCIL MEMBER BRANTLEY SECONDED.

A roll call vote was taken.

** THE COMMITTEE AS A WHOLE VOTED TO REJECT THE PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA) ENTERED INTO ON NOVEMBER 20, 2015 (INCLUDING THE DOCUMENT DATED OCTOBER 14, 2015) WITH TWELVE (12) IN FAVOR OF REJECTING THE CONTRACT (BUKOVSKY, TAYLOR-MOYE, HERRON, LYONS, MCBRIDE-LEE, SALTER, CASCO, CASTILLO, FELICIANO, PAOLETTO, SMITH AND MARTINEZ); THREE IN FAVOR OF ACCEPTING THE CONTRACT (OLSON, VIZZO-PANICCIA AND NIEVES) AND ONE (1) ABSTENTION (BRANTLEY).

Mayor Ganim then explained that the item had moved out of Committee as and was now before the Council. The next vote would be for the Council to vote on accepting or rejecting the contract. A discussion clarifying the procedure followed.

** COUNCIL MEMBER FELICIANO MOVED FOR THE COUNCIL AS A WHOLE TO ACCEPT OR REJECT THE PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA) ENTERED INTO ON NOVEMBER 20, 2015 (INCLUDING THE DOCUMENT DATED OCTOBER 14, 2015).

** COUNCIL MEMBER PAOLETTO SECONDED.

A roll call vote was taken.

** THE COUNCIL AS A WHOLE VOTED TO REJECT THE PROPOSED REVISED COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION (BCSA) ENTERED INTO ON NOVEMBER 20, 2015 (INCLUDING THE DOCUMENT DATED OCTOBER 14, 2015) WITH TWELVE (12) IN FAVOR OF REJECTING THE CONTRACT (BUKOVSKY, TAYLOR-MOYE, HERRON, LYONS, MCBRIDE-LEE, SALTER, CASCO, CASTILLO, FELICIANO, PAOLETTO, SMITH AND MARTINEZ); THREE IN FAVOR OF ACCEPTING THE CONTRACT (OLSON, VIZZO-PANICCIA AND NIEVES) AND ONE (1) ABSTENTION (BRANTLEY).

Council Member Olson requested a moment of personal privilege to remind everyone about Luis Colon, a 14 year old Bridgeport resident who died on Christmas Eve as a result of a shooting.

City Clerk Martinez also requested that everyone remember a Public Works staff member who recently passed away.

ADJOURNMENT

- ** COUNCIL MEMBER MARTINEZ MOVED TO ADJOURN.
- ** COUNCIL MEMBER FELICIANO SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

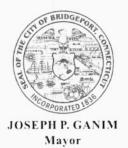
The meeting adjourned at 8:41 p.m.

Respectfully submitted,

S. L. Soltes Telesco Secretarial Services.

COMM. #32-15 (Ref. #185-14) Ref'd to: Committee As A Whole on 12/30/2015 (Special Meeting)

OFFICE OF THE MAYOR



CITY OF BRIDGEPORT, CONNECTICUT MARGARET E. MORTON GOVERNMENT CENTER

999 BROAD STREET BRIDGEPORT, CONNECTICUT 06604 TELEPHONE (203) 576-7201 FAX (203) 576-3913

December 29, 2015

Dear Honorable Members,

As Mayor of the City of Bridgeport and pursuant to the provisions of Bridgeport City Charter, Chapter 5, Sec. 5(a), I hereby provide written notice that I will be convening a Special Meeting of the Bridgeport City Council on Wednesday, December 30, 2015 at 7:00 PM to afford the City Council an opportunity to timely act upon the proposed Revised Collective Bargaining Agreement between the City and the BPT City Supervisor's Association (cba).

In accordance with Connecticut General Statutes, Sec. 7-474(b), the Council is advised to either accept or reject such cba within 30 days from the expiration of the 14 days from the date the parties reaches such agreement. The cba is subject to legislative body approval of necessary funds and provisions in conflict with the City Charter or ordinances, etc.

In this instance the cba was reached by the negotiating parties on November 20, 2015 (including the document dated October 14, 2015), so the 44 days for City Council action would appear to expire on Sunday, January 3, 2016. Therefore, it would be untimely for the City Council to wait until it's Regular Meeting on Monday, January 4, 2016 to act upon the cba.

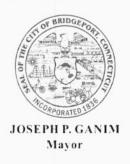
Sincerely,

Joseph P. Ganim

Mayor

ATTEST TO CLERK'S OFFICE

OFFICE OF THE MAYOR



CITY OF BRIDGEPORT, CONNECTICUT MARGARET E. MORTON GOVERNMENT CENTER

999 BROAD STREET BRIDGEPORT, CONNECTICUT 06604 TELEPHONE (203) 576-7201 FAX (203) 576-3913

"Notice of SPECIAL CITY COUNCIL MEETING"

LOCATION:

BPT City Council Chambers

45 Lyon Terrace

Bridgeport, CT 06604

DATE/TIME:

Wednesday, December 30, 2015 @ 7:00PM.

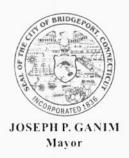
BUSINESS TO BE TRANSACTED:

See enclosed Agenda.

ATTEST OF ERK

CITY CLERK'S OFFICE

OFFICE OF THE MAYOR



CITY OF BRIDGEPORT, CONNECTICUT MARGARET E. MORTON GOVERNMENT CENTER

999 BROAD STREET BRIDGEPORT, CONNECTICUT 06604 TELEPHONE (203) 576-7201 FAX (203) 576-3913

Agenda:

- Receipt of communication from Mayor Ganim dated December 29, 2015 convening
 meeting so that City Council can take appropriate legislative body action in accordance
 with Connecticut General Statutes Sec. 7-474(b) regarding the proposed Revised
 Collective Bargaining Agreement (cba) between the City and the Bridgeport City
 Supervisor's Association (BCSA) entered into on November 20, 2015 (including the
 document dated October 14, 2015).
- Referral to the cba to the City Council acting as a Committee of the whole, due to the significance of the matter and time being of the essence due to the expiration on Sunday, January 3, 2016 of the time for the City Council to accept or reject the cba.

[Note – pursuant to Rule XIII of the City Council Rules of Procedure this referral requires only a simple majority vote of those present and voting.]

- City Council acting as a Committee of the whole considers and reports on the cba.
- City Council receives and acts upon the Report from the Committee of the Whole.
- Meeting Adjourned.

CITY CLERK'S OFFICE
2015 DEC 30 A 9: 42
ATTEST TO FRK



AGREEMENT

This agreement is between the City of Bridgeport (hereinafter the "City") and Bridgeport City Supervisors Association (BCSA) (hereinafter the "Union").

The parties above hereby agree to the following:

Whereas, the City and the Union entered into a Tentative Agreement executed on October 15, 2015;

Whereas, the Agreement contained an "Exhibit L- Clerical Errors Agreement" allowing for the correction of clerical errors.

Now therefore, the City and the Union are in agreement that the first sentence of the paragraph entitled "New Language" which states 'For BCSA members who retire on or after December 31, 2015", the parties agree that Medicare eligible retirees and their spouses who are Medicare eligible are provided with Medicare Supplement plan in place of the City's Insurance plan.' contains at lerical error and the date (December 31, 2015) was to have been and should be October 31, 2015.

This agreement shall not constitute a practice or precedent under the collective bargaining agreement between the City and the Union. The Union will not the or otherwise utilize this agreement or any of the substantive terms, in any grievance, arbitration (either grievance or binding interest) or any proceeding except or such proceeding to enforce the terms and conditions of this agreement.

FOR THE CITY

Date

FOR THE UNION

Elizabeth Petrocelli,

Date

President

TENTATIVE AGREEMENT BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION

DURATION

All provisions of this agreement shall be effective as of July 1, 2013 and shall remain in full force and effect until the thirtieth (30th) day of June 2018.

ARTICLE 18 - WAGES INCREASES

Effective July 1, 2013-3%

Effective July 1, 2014-3%

Effective July 1, 2015-2.5%

Effective July 1, 2016-2.5%

Effective July 1, 2017-2%

ARTICLE 25 - HEALTH BENEFITS

All members of the bargaining unit hired after December 31, 2015 will not be entitled to post retirement health benefits. It is understood that all employees hired on or prior to December 31, 2015 shall be entitled to post retirement health benefits.

ARTICLE 25 - HEALTH BENEFITS

Effective July 1, 2016, the parties agree to reopen the contract to bargain major mandates of the Affordable Health Care Act. As a condition precedent to exercising its right to reopen the contract on this issue, the City shall identify the specific benefit for which it is seeking to reopen the agreement and the date on which the City learned of this issue.

EXHIBIT L - CLERICAL ERRORS AGREEMENT

The Bridgeport City Supervisors Association and the City of Bridgeport are entering into a collective bargaining agreement covering the time frame of July 1, 2013 to June 30, 2018. The parties agree that for a variety of reasons the agreement will be executed in calendar year 2015. The parties further agree to fully cooperate and adjust the collective bargaining agreement for any clerical errors contained within the agreement. It is the intention of the parties that if any clerical errors do occur that the City and BCSA will work to rectify any errors. If the parties are unable to come to an agreement regarding any clerical error revisions, the parties agree to enter binding arbitration in accordance with the procedure established in Article 13 of the Collective Bargaining Agreement.

NEW LANGUAGE

For BCSA members who retire on or after December 31, 2015, the parties agree that Medicare eligible retirees and their spouses who are Medicare eligible are provided with a Medicare supplement plan in place of the city's insurance plan. At that time, the premium cost share shall be based on the supplemental plan. Subject to final contract language, the following reflects the concept that the premium cost share shall be paid based on whatever plan(s) the retiree and covered dependents are enrolled in:

For retirees and their spouses attaining Medicare eligibility after the actual retirement date, the premium cost share shall be based upon the premium rate of the supplement plan provided by the City for said retirees and their spouses. The premium cost share for the retiree's dependents, including a spouse who is not Medicare eligible, shall be based upon the Fully Insured Equivalent rate for the coverage provided to such dependents.

PARTIES AGREE TO RESOLVE LANGUAGE CONFLICTS ON PCS CONTRIBUTIONS

The parties recognize there is an existing dichotomy in the contract between Articles 25.5A and 25.11 regarding retiree contributions for insurance, and the above language does not resolve that dichotomy. The parties agree to meet within 60 days after execution of this agreement to resolve any language discrepancies in this area.

<u>NEW LANGUAGE DIRECT DEPOSIT</u> – To be implemented by the City for all Union personnel after the execution of the collective bargaining agreement. Union members must complete necessary authorization forms by May 1, 2016.

NEW LANGUAGE FURLOUGHS

The union agrees that all bargaining unit members will have deducted from any retroactive pay the equivalent of 4 days of pay. In exchange for this deduction the bargaining unit members will take four (4) unpaid furlough days, the value of which is being subtracted from any retroactive payment as stated above. Said furlough days must be taken prior to December 1, 2016 or the right to take such time will be lost. Taking of furlough days is subject to the approval of the members supervisors.

This Tentative Agreement is subject to ratification by the union membership and the City.

FOR THE CITY

JAMM SMILL

Thomas C. Austin

Elizabeth Petrocelli, President

FOR THE UNION

Senior Labor Relations Officer

10-13-15

10-13-15

Tenative Agreement - BCSA 10-09-2015

Page 2 of 3

Mayor Bill Finch

32-15 (Ref.#185-14)

Revised Collective Bargaining Agreement between the City and the Bridgeport City Supervisor's Association (BCSA) entered into on November 20, 2015 (including the document dated October 14, 2015).

Report of Committee

The Whole

Submitted: <u>December 30, 2015</u> (<u>Special Meeting</u>)

Attest: hyplix n. Martines

Adopted:

Approved___

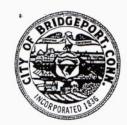
Mayor

Notified on 01/25/2016

Mayor Joseph P. Ganim

Ms. J. Hawkins, Director of Labor Relations

In accordance with the Charter of the City of Bridgeport, Chapter 5, Section 11, the following resolution #32-15 (Ref. #185-14) was approved by the City Council of the City of Bridgeport on December 30, 2015 (Special Meeting), and does not require Mayoral signautre; said approval effective as of January 22, 2016.



City of Bridgeport, Connecticut

To the Pity Pouncil of the Pity of Bridgeport.

The Committee of the Whole begs leave to report; and recommends for adoption the following resolution:

32-15 (Ref. #185-14): From the Floor and Immediately Considered:

BE IT RESOLVED, That the attached revised collective bargaining agreement between the City and the Bridgeport City Supervisor's Association (BCSA) entered into on November 20, 2015 (including the document dated October 14, 2015), be and it hereby is, in all respects, approved, ratified and confirmed. REVECTED.

Respectfully submitted,

THE COMMITTEE OF THE WHOLE Thomas C. McCarthy, President to sweat Eneida Martinez, Majority Leader AmyMarie Vizzo-Paniccia, Deputy Majority Leader/Sgt at Arms Michelle A. Lyons, Deputy Majority Leader M. Evette Brantley, Deputy Majority Lea Kathryn M. Bukovsky, D-130 Scott Burns, D-130 John W. Olson, D-132 Aidee Nieves, D-137 Anthony R. Paoletto, D-138 Smith, D-138



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Whereas, the Agreement contained an "Exhibit L - Clerical Errors Agreement" allowing for the correction of clerical errors.

Now therefore, the City and the Union are in agreement that the first sentence of the paragraph entitled "New Language" which states 'For BCSA members who retire on or after December 31, 2015", the parties agree that Medicare eligible retirees and their spouses who are Medicare eligible are provided with Medicare Supplement plan in place of the City's Insurance plan.' contains at clerical error and the date (December 31, 2015) was to have been and should be October 31, 2015.

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FOR THE CITY

D

FOR THE UNION

Elizabeth Petrocelli,

Date

President

TENTATIVE AGREEMENT BRIDGEPORT CITY SUPERVISOR'S ASSOCIATION

DURATION

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This Tentative Agreement is subject to ratification by the union membership and the City.

FOR THE CITY FOR THE UNION Thomas C. Austin Elizabeth Petrocelli, President Senior Labor Relations Officer

Mayor Bill Finch

DATE