

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE SUBCHAPTER OF CHAPTER 33 OF THE CODE OF ORDINANCES TITLED "FIREFIGHTER'S PENSION AND RETIREMENT"; AMENDING SECTION 33.040(A) OF THE CODE OF ORDINANCES REGARDING THE NORMAL RETIREMENT DATE OF CERTAIN MEMBERS OF THE FIREFIGHTER'S PENSION AND RETIREMENT PLAN.

WHEREAS, the City of Hollywood, Florida and the Hollywood Professional Fire Fighters, Local 1375, have negotiated an Employee Organization Agreement (the "Agreement") covering the period from October 1, 2014 to September 30, 2017; and

WHEREAS, Article 28 of the Agreement contains changes to the Firefighter's Pension and Retirement Plan (the "Plan"); specifically, changes to the normal retirement date of Tier I members with less than ten years of credited service as of September 30, 2011 and members hired on or after October 1, 2011; and

WHEREAS, the Plan is found in the subchapter of Chapter 33 of the Code of Ordinances titled "Firefighter's Pension and Retirement" and must be amended to incorporate the changes contained in the Agreement; and

WHEREAS, Section 33.075 of the City's Code of Ordinances requires, as one of the two alternative procedures to amend the Plan, the approval of a "majority plus one" vote of the City Commission and 50% plus one of the voting members; and

WHEREAS, prior to the adoption of this ordinance on second reading, 50% plus one of the voting members of the Plan approved the amendments contained in this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Section 33.040 of the Code of Ordinances is hereby amended to read as follows:

TITLE III: ADMINISTRATION

* * *

(Coding: Words and figures underscored are additions to existing law; words and figures ~~struck through~~ are deletions.)

CHAPTER 33: CITY EMPLOYEES

* * *

FIREFIGHTER'S PENSION AND RETIREMENT

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§ 33.040 BENEFIT AMOUNTS AND ELIGIBILITY.

(A) *Normal retirement benefit.* A Tier 1 member's normal retirement date shall be the first day of the month coincident with or next following the attainment of age 50 and the completion of ten years of credited service or upon the completion of 23 years of credited service, regardless of age. A Tier 2 member's normal retirement date shall be the first day of the month coincident or next following the attainment of age 55 and the completion of ten years of credited service or upon the completion of 25 years of credited service regardless of age. The normal retirement date of a Tier 1 member with less than ten years of credited service as of September 30, 2011 and a member hired on or after October 1, 2011 shall be the first day of the month coincident with or next following the attainment of age 55 and the completion of ten years of credited service or the first day of the month coincident with or next following ~~the attainment of age 52 and~~ the completion of 25 years of credited service. A Tier 1 member with ten or more years of credited service as of September 30, 2011 shall retain his or her current normal retirement date. A member may retire on his or her normal retirement date or on the first day of any month thereafter, and each member shall become 100% vested in his or her accrued benefit upon completion of ten years of credited service. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date.

* * *

Section 2: That it is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this ordinance may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

ORDINANCE AMENDING SECTION 33.040(A) OF THE FIREFIGHTERS PENSION
PLAN REGARDING NORMAL RETIREMENT DATE FOR CERTAIN TIER I MEMBERS
AND MEMBERS HIRED ON OR AFTER OCTOBER 1, 2011

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on _____, 2015.

PASSED on first reading this _____ day of _____, 2015.

PASSED AND ADOPTED on second reading this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

JEFFREY P. SHEFFEL, CITY ATTORNEY