

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING, BETWEEN THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL # 1375 ("IAFF"), AMENDING ARTICLE 28 SECTION 1 TO ALLOW FOR MODIFICATION OF THE DEFINITION OF "BENEFICIARY" CONTAINED IN THE CITY OF HOLLYWOOD FIREFIGHTERS' RETIREMENT SYSTEM ("FIREFIGHTERS' PENSION PLAN).

WHEREAS, the City and the IAFF are parties to a collective bargaining agreement ("CBA") from the period of October 1, 2014 through September 30, 2017 covering the Firefighters, Driver Engineers, Lieutenants, Captains, and Fire Prevention Officers I, II, and III, of the City; and

WHEREAS, the parties wish to amend Article 28, section 1 that states: "Except as provided in [the current CBA], the City will maintain the existing Pension Plan Ordinance provisions regarding benefits and contributions for bargaining unit employees for the duration of this *Agreement*.", and

WHEREAS, the Firefighters' Pension Plan defines "beneficiary" to include only a person or persons, and the parties have agreed it is in the best interest of the City and the bargaining unit members to amend the definition to include a trust with regard to DROP account distributions; and

WHEREAS, the Firefighter's Pension and Retirement Fund has recommended a change to the provisions of the Plan to allow members and retirees to name a Trust as a beneficiary of lump sum benefit distributions. Currently, the Plan only allows a person to be named as a beneficiary, so the change would allow added flexibility for Plan members/retirees; and

WHEREAS, the Code of Ordinances provides that any change to Plan terms must be approved by either (i) a "majority plus one" vote of the City Commission and a majority of the voting members of the Plan or (ii) a majority vote of those voting in a referendum election called by the City Commission;

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

Section 1: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Memorandum of Understanding, between the City of Hollywood and the International Association of Fire Fighters, Local 1375, together with such nonmaterial changes, if any, as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
For the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY