

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 BROWARD COUNTY POLICE BENEVOLENT ASSOCIATION TO ADDRESS ARTICLE 43 (WAGES) PRIOR TO THE CONCLUSION OF A NEGOTIATED SUCCESSOR AGREEMENT AND NOT BE DELAYED BY THE PENDING UNFAIR LABOR PRACTICE CASE NO. CA-2012-016 FILED BY THE PBA.

WHEREAS, the City and the Police Benevolent Association (“PBA”) are parties to a collective bargaining agreement (“CBA”) for the period from October 1, 2014 through September 30, 2017; and

WHEREAS, the City and PBA are in the process of negotiating a successor collective bargaining agreement; and

WHEREAS, the PBA filed an unfair labor practice against the City, Public Employees Relations Commission (“PERC”) Case No. CA-2012-016, contesting the City’s declaration of financial urgency and unilateral reduction of pay and pension benefits, and that case is ongoing; and

WHEREAS, the final order in Case No. CA-2012-016 is not expected to be issued for several months and may affect the benefits of bargaining unit members and the cost to the City; and

WHEREAS, the decision in Case No. CA-2012-016 may affect the parties’ position concerning Article 37 (Pension and Pension Plans) of the current CBA; and

WHEREAS, the parties desire to address Article 43 (Wages) prior to the conclusion of a negotiated successor agreement and not be delayed by the pending PERC case.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached agreement between the Broward County Police Benevolent Association ("PBA") and the City of Hollywood, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That it recognizes that the PBA must first obtain the approval of its membership before the agreement will become effective.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY