

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES TITLED "POLICE OFFICER'S RETIREMENT SYSTEM"; INCORPORATING VARIOUS CHANGES TO THE RETIREMENT SYSTEM CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FRATERNAL ORDER OF POLICE, LODGE #24 AND THE CITY OF HOLLYWOOD, INCLUDING CHANGES RELATING TO DEFINITIONS AND NORMAL RETIREMENT BENEFITS; PROVIDING FOR CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Fraternal Order of Police ("FOP"), Lodge #24 and the City have negotiated a Collective Bargaining Agreement ("Agreement") for the period commencing October 1, 2025, and terminating September 30, 2028; and

WHEREAS, included in the Agreement are changes to the Police Officer's Retirement System to provide for additional retirement benefits for Group Three members; and

WHEREAS, to make the changes to the pension plan official, it is necessary to incorporate such changes into the Code of Ordinances; and

WHEREAS, Section 33.138 of the City's Code of Ordinances requires, as one of the two alternative procedures to amend the police officers' pension plan, approval by a 5/7 vote of the City Commission and 50% plus one of the active members of the police officers' pension plan; and

WHEREAS, prior to the adoption of this Ordinance on second reading, 50% plus one of the active members of the police officers' pension plan will have to approve the amendments contained in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance.

Section 2: That Chapter 33 of the Code of Ordinances is hereby amended to read as follows¹:

¹ Underlined text are additions to existing text; ~~struck through~~ text has been removed from existing text.

TITLE III: ADMINISTRATION

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CHAPTER 33: CITY EMPLOYEES

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POLICE OFFICER'S RETIREMENT SYSTEM

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§ 33.126 DEFINITIONS.

EARNINGS. For purposes of Group One restored members only, EARNINGS, also referred to as "compensation," shall include salary, overtime pay not to exceed 300 hours per year, longevity pay, assignment pay, payments for accrued holiday time, payments for accrued blood time, and payments for accrued compensatory time, but shall not include payments for unused sick time or for unused vacation time. For purposes of Group Two Restored Members only, EARNINGS shall include salary, overtime pay not to exceed 300 hours per year, longevity pay, assignment pay, payments for accrued holiday time not to exceed 130 hours, payments for accrued blood time, and payments for accrued compensatory time, but shall not include payments for unused sick time or for unused vacation time. For purposes of Group Three members only, EARNINGS shall include salary, overtime pay not to exceed ~~200~~ 115 hours per year, longevity pay, assignment pay, payments for accrued holiday time not to exceed 130 hours per year but shall not include payments for accrued blood time, annual "cash out" payments for vacation time, payments for accrued compensatory time, and payments for unused sick time or for unused vacation time.

§ 33.128 NORMAL RETIREMENT

(B) Normal retirement benefit.

(1) Amount.

(c) Group Three members. Effective October 1, ~~2022~~ 2025, the following pension benefits will apply to Group Three members as specifically provided in the following divisions.

1. Maintain the 3% multiplier for the first 21 years of continuous service, but allow Group Three members to retire upon completion of 22 years of creditable service at an accrued benefit of ~~75%~~ 80% of their average final compensation.

(d) Earnings in the DROP plan account of all members hired on or before September 30, 2011 shall be one of the following options: (1) the variable rate of return, which for any month shall be the actual net rate of investment gain or investment loss on

the retirement system's assets for the month, determined as of the last day of the month, reduced in the event of a net investment gain or increased in the event of a net investment loss by an administrative fee determined by the Board; or (2) 6% per year, minus administrative costs; provided, however, if plan earnings exceed 6% per year, earnings in excess of 6% per year and not in excess of 12% per year shall offset the city's cost of maintaining the DROP plan program, and plan earnings in excess of 12% per year shall be equally divided between the DROP participant and the city. DROP earnings for Group Three members shall be, at the participant's election, either (1) the actual net rate of investment gain or loss on the Retirement System's assets for the month, determined as of the last day of the month subject to a uniform administrative fee as adopted by the Board; or (2) a variable rate of return not greater than the actuarially assumed rate of investment return, but not less than zero, subject to a uniform administrative fee as adopted by the Board; provided however, if actual net earnings on the assets of the Retirement System exceeds the assumed rate of investment return, such excess up to a net investment return of 14% shall be used to offset the City cost of maintaining the DROP; further provided, that if the actual net rate of return exceeds 14%, the return on assets attributable to Group Three DROP participants shall be divided equally between a reduction in City cost and the Group Three DROP participants.

(e) ~~Increase the~~ The employee contribution rate for all Group One and Group Two restored members, ~~Group Two restored members shall be 9.5%, and Group Three members shall be to 9.5~~ 11.5%, effective with the first full pay period that starts on or after February 20, 2019. Upon entry into the DROP plan, Group One restored members, and Group Two restored members, and Group Three members shall cease making employee contributions. Upon entry into the reformed planned retirement benefit, Group Three members shall contribute either the employee's contribution rate as provided elsewhere in this subchapter or 0.5% of the member's earnings until termination of employment.

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Section 3: That it is the intention of the City Commission that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of the Code may be renumbered to accomplish such intention.

Section 4: 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.

Section 5: 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.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES TITLED "POLICE OFFICER'S RETIREMENT SYSTEM"; INCORPORATING VARIOUS CHANGES TO THE RETIREMENT SYSTEM CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FRATERNAL ORDER OF POLICE, LODGE #24 AND THE CITY OF HOLLYWOOD, INCLUDING CHANGES RELATING TO DEFINITIONS AND NORMAL RETIREMENT BENEFITS; PROVIDING FOR CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

Section 6: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on _____, 2025.

PASSED on first reading this _____ day of _____, 2025.

PASSED AND ADOPTED on second reading this _____ day of _____, 2025.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DAMARIS Y. HENLON
CITY ATTORNEY