



## Legislation Details (With Text)

**File #:** PO-2017-18    **Version:** 2    **Name:** Fire Pension Ordinance  
**Type:** Ordinance    **Status:** Passed  
**File created:** 8/24/2017    **In control:** Regular City Commission Meeting  
**On agenda:** 10/4/2017    **Final action:** 10/4/2017  
**Title:** An Ordinance Of The City Of Hollywood, Florida, Amending Section 33.037 Of The Code Of Ordinances Regarding The Board Of Trustees Of The Firefighters Pension Plan; Allowing The Chief Of The Fire Department To Designate A Firefighter To Serve In His/Her Place As A Member Of The Board.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ofirepensionchief.pdf

Date	Ver.	Action By	Action	Result
10/4/2017	2	Regular City Commission Meeting	adopt on second and final reading	Pass
9/6/2017	1	Regular City Commission Meeting	adopt on first reading	Pass

An Ordinance Of The City Of Hollywood, Florida, Amending Section 33.037 Of The Code Of Ordinances Regarding The Board Of Trustees Of The Firefighters Pension Plan; Allowing The Chief Of The Fire Department To Designate A Firefighter To Serve In His/Her Place As A Member Of The Board.

Staff Recommends: Approval Of Ordinance

**Explanation:**

Section 33.037 of the Code of Ordinances establishes the makeup of the Board of Trustees of the Firefighters' Pension System and currently one of the members of the Board is the Fire Chief. While the Fire chief's membership on the Board does not raise issues regarding prohibited conflicts of interest and voting conflicts of interest, it does create situations in which he or she is uncomfortable voting on matters that will directly affect his/her pension benefits and the pension benefits of the firefighters in the Department of Fire-Rescue and Beach Safety.

Florida Statute Section 175.061 prohibits fire pension plans that participate in Chapter 175

funds from reducing the membership percentage of firefighters on the Board of Trustees. It is the opinion of the state agency that regulates Chapter 175 that replacing the Fire Chief with a member who is not a firefighter would violate Section 175.061.

City staff recommends the amendment of Section 33.037 to allow the Fire Chief to designate a firefighter to serve in his/her place on the Board.

Section 33.075 of the Code of Ordinances requires, as one of the two alternative procedures to amend the Firefighters' Pension Plan, the approval of a "majority plus one" vote of the City Commission and 50% plus one of the voting members of the plan. Prior to the adoption of this ordinance on second reading, 50% plus one of the voting members of the Firefighters' Pension Plan approved the amendments contained in this ordinance.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

George R. Keller Jr., Assistant City Manager for Finance and Administration

Melvin Standley, Assistant City Manager for Public Safety