

ORDINANCE NO. O-2003-07

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE X OF THE CITY CHARTER BY REVISING SECTION 10.01, "PENSIONS AND RETIREMENT", TO IMPLEMENT THE PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT RELATING TO THE EMPLOYEES' RETIREMENT FUND AND OTHER REVISIONS RECOMMENDED BY THE BOARD OF TRUSTEES; PROVIDING A GENERAL REPEALER CLAUSE; PROVIDING A VALIDITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hollywood has entered into a collective bargaining agreement with AFSCME Local 2432 that contains a number of provisions amending the Employees' Retirement Fund; and

WHEREAS, the Board of Trustees of the Employees' Retirement Fund has conducted a comprehensive review of Section 10.01 of the City Charter, and has recommended numerous revisions to comply with changes in federal law, eliminate provisions that are no longer needed, and clarify ambiguous language; and

WHEREAS, in addition to the revisions described in the previous paragraph, the Board of Trustees has recommended revisions that would allow current employees compensated on a contractual basis to participate in the Employees' Retirement Fund and require future employees compensated on a contractual basis to participate in the Employees' Retirement Fund; and

WHEREAS, if current employees who are compensated on a contractual basis are allowed to participate in the Employees' Retirement Fund, the City will discontinue making contributions into a 401 plan for each such employee who elects to participate in the Employees' Retirement Fund, and the net estimated annual savings to the City will be \$122,333 if all eighteen such employees elect to participate in the Employees' Retirement Fund; and

WHEREAS, the amendments to the Employees' Retirement Fund have been approved by 50% plus one of the voting members of the Employees' Retirement Fund, and shall become effective upon an affirmative vote of five ("a majority plus one") members of the City Commission, in accordance with Section 10.07 of the City Charter, as amended by 2000 House Bill 1769;

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

Section 1. That City of Hollywood Employees' Retirement Fund, Article X, Section 10.01, "Pensions and Retirement," of the City Charter is hereby amended as set forth in the attached document, comprised of 27 pages, which is incorporated by reference as if fully set forth herein.

Section 2. 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 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 the remaining portions of this ordinance.

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

ADVERTISED on May 23, 2003.

PASSED on first reading this 5 day of March, 2003.

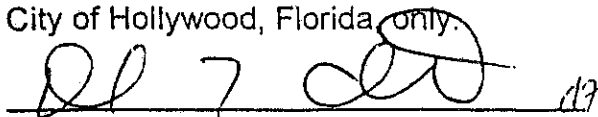
PASSED AND ADOPTED on second reading this 4 day of June, 2003.


MARA GIULIANTI, 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.


DANIEL L. ABBOTT, CITY ATTORNEY

6/5/03 pac