

RESOLUTION NO. 24R-12-300

A RESOLUTION OF THE COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE MEMORANDUMS OF UNDERSTANDING (MOU) BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE #161 WHICH AMENDED THE COLLECTIVE BARGAINING AGREEMENT WITH REGARD TO THE POLICE OFFICERS RETIREMENT PLAN, SECTION 2-87.1(c) AND 2-87.1(g) OF THE CITY CODE, ENTITLED DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 2-87.2 OF THE CITY CODE ENTITLED COST OF LIVING ADJUSTMENT; AMENDING SECTION 2-87.3 OF THE CITY CODE ENTITLED POST RETIREMENT SUPPLEMENT TO ADD A NEW PARAGRAPH (d); PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, KENNIE HOBBS, JR.)

WHEREAS, the City Commission previously approved and ratified the Collective Bargaining Agreement (the "Agreement") between the City of Lauderhill (the "City") and Broward County Police Benevolent Association, Inc., in effect from October 1, 2024 through September 30, 2027 via Resolution No. 24R-07-129; and

WHEREAS, Memorandums of Understanding were prepared subsequent thereto in order to correct a scrivener's error and to amend certain provisions of the DROP Plan;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, AS FOLLOWS:

Section 1. The City Commission hereby approves the two Memorandums of Understanding between the City of Lauderhill and Broward County Police Benevolent Association, Inc., copies of which are attached hereto as Composite Exhibit "A" and incorporated herein.

Section 2. The Interim City Manager or his designee is authorized to take all actions necessary to implement the terms of the Memorandums of Understanding.

Section 3. This Resolution shall take effect immediately upon its passage and adoption.

DATED this 9 day of December, 2024.

PASSED AND ADOPTED on first reading this 9 day of December, 2024.


PRESIDING OFFICER

ATTEST:

Nadia Chin
Deputy CITY CLERK

MOTION
SECOND

M. Dunn
S. Martin

R. CAMPBELL
M. DUNN
J. HODGSON
S. MARTIN
D. GRANT

Yes
Yes
Yes
Yes
Yes

Approved as to Form

Angel Petti Rosenberg
Angel Petti Rosenberg
City Attorney



City of Lauderhill

City Commission
Chambers at City Hall
5581 W. Oakland Park
Blvd.
Lauderhill, FL, 33313
www.lauderhill-fl.gov

File Details

File Number: 24R-6005

File ID: 24R-6005

Type: Resolution

Status: Agenda Ready

Version: 1

Reference:

In Control: City Commission
Meeting

File Created: 12/04/2024

File Name: FOP Pension Ordinance MOU

Final Action:

Title: RESOLUTION NO. 24R-12-300: A RESOLUTION OF THE COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE MEMORANDUMS OF UNDERSTANDING (MOU) BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE #161 WHICH AMENDED THE COLLECTIVE BARGAINING AGREEMENT WITH REGARD TO THE POLICE OFFICERS RETIREMENT PLAN, SECTION 2-87.1(c) AND 2-87.1(g) OF THE CITY CODE, ENTITLED DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 2-87.2 OF THE CITY CODE ENTITLED COST OF LIVING ADJUSTMENT; AMENDING SECTION 2-87.3 OF THE CITY CODE ENTITLED POST RETIREMENT SUPPLEMENT TO ADD A NEW PARAGRAPH (d); PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, KENNIE HOBBS, JR.)

Notes:

Sponsors: Giles

Enactment Date:

Attachments: 24R-12-300-CBA-MOUs Approval.pdf

Enactment Number:

Contact:

Hearing Date:

*** Drafter:** Ekrempler@Lauderhill-fl.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 24R-6005

RESOLUTION NO. 24R-12-300: A RESOLUTION OF THE COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE MEMORANDUMS OF UNDERSTANDING

(MOU) BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE #161 WHICH AMENDED THE COLLECTIVE BARGAINING AGREEMENT WITH REGARD TO THE POLICE OFFICERS RETIREMENT PLAN, SECTION 2-87.1(c) AND 2-87.1(g) OF THE CITY CODE, ENTITLED DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 2-87.2 OF THE CITY CODE ENTITLED COST OF LIVING ADJUSTMENT; AMENDING SECTION 2-87.3 OF THE CITY CODE ENTITLED POST RETIREMENT SUPPLEMENT TO ADD A NEW PARAGRAPH (d); PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, KENNIE HOBBS, JR.)

Request Action:

City Commission approval for the Memorandum of Understanding (MOU) with the Florida State Lodge Fraternal Order of Police Lodge #181 regarding the provisions for entitled Deferred Retirement Option Plan (DROP), entitled cost of living adjustment, and entitled post retirement supplement.

Need Summary Explanation/ Background:

The City Commission previously approved and ratified the Collective Bargaining Agreement. Thereafter two amendments were necessary to correct agreed upon provisions and Memorandums of Understanding were entered into to amend the Collective Bargaining Agreement. Approval is necessary to officially approve the Memorandums of Understanding and the City is also proceeding to pass an Ordinance to amend the corresponding code provisions to ensure the implementation of the new provisions in the ratified Collective Bargaining Agreement as amended by the Memorandums of Understanding. One merely corrected a scrivener's error and the other amended Sections 2-87.1(c) and (g), 2-87.2 and 2-87.3.

Cost Summary/ Fiscal Impact:

Impact study has been conducted.

Attachments:

FOP Amended MOUs

Budget Code Number(s):

Procurement Information: [check all that apply]

<input type="checkbox"/> RFP/Bid	<input type="checkbox"/> Emergency Purchase	<input type="checkbox"/> SBE
<input type="checkbox"/> Proposal/Quote	<input type="checkbox"/> State Grant Funds	<input type="checkbox"/> Local
Preference		
<input type="checkbox"/> Piggyback Contract	<input type="checkbox"/> Federal Grant Funds	
<input type="checkbox"/> Sole Source	<input type="checkbox"/> Matching Required	

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LAUDERHILL, FLORIDA, AND
FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE # 161**

This Memorandum of Understanding ("MOU") is entered into this 3rd day of October 2024, by and between the City of Lauderhill, Florida (the "City"), and the Florida State Lodge, Fraternal Order of Police Lodge #161 ("FOP").

WHEREAS, FOP represents a bargaining unit consisting of the City's sworn police officers and sergeants; and

WHEREAS, the Parties recently reached agreement on a successor collective bargaining agreement covering the period October 1, 2024 to September 30, 2027 (the "Agreement"), which was subsequently ratified by the City Commission on September 12, 2024; and

WHEREAS, Article 43 "Pension" of the Agreement sets forth the criteria and requirements regarding the City's Police Officers' Retirement Plan (the "Plan"); and

WHEREAS, the Parties desire to clarify specific provisions of City of Lauderhill Code of Ordinances Section 2-87.1(b), which contains a scrivener's error and is not reflective of the actuarial impact statement issued at the time of the adoption of Ordinance No. 20-0-10-145 (11/20/2020); and

WHEREAS, the Parties recognize that this Memorandum of Understanding clarifies the Code of Ordinances Section 2-87.1(b), but does not create any costs to the city nor does it create a new benefit in the Plan; and

WHEREAS, the Parties agree that the adoption of this amendment does not require collective bargaining.

NOW, THEREFORE, the Parties agree to as follows:

1. The above recitals are true and correct and incorporated herein by reference.

2. Section 2-87.1(b) of the Code of Ordinances is amended as follows¹:

(b) Eligibility to participate in the DROP is based upon eligibility for service retirement in the plan. Notwithstanding any provision to the contrary, effective June 29, 2020, members who have accrued fifteen (15) or more years of service ~~as of July 1, 2020~~, may enter the DROP at any time after attaining age fifty (50). All other DROP provisions remain in effect.

3. The Parties recognize that this MOU only clarifies Section 2-87.1(b) of the Code of Ordinances.

4. The Parties agree that this MOU represents that Parties' entire agreement and cannot be amended or modified without the expressed, written consent of the Parties.

City of Lauderhill, Florida

By: _____

Dated: 10/2/24

**The Florida State Lodge, Fraternal Order
of Police Lodge #161**

By: Joseph Nistor _____

Dated: 10/01/2024

¹ Additions to existing text are shown by underline; deletions are shown by ~~strike through~~.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF LAUDERHILL, FLORIDA, AND
FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE # 161**

This Memorandum of Understanding (“MOU”) is entered into this _____ day of November 2024, by and between the City of Lauderhill, Florida (the “City”), and the Florida State Lodge, Fraternal Order of Police Lodge #161 (“FOP”).

WHEREAS, FOP represents a bargaining unit consisting of the City’s sworn police officers and sergeants; and

WHEREAS, the Parties recently reached agreement on a successor collective bargaining agreement covering the period October 1, 2024 to September 30, 2027 (the “Agreement”), which was subsequently ratified by the City Commission on September 12, 2024; and

WHEREAS, Article 43 “Pension” of the Agreement sets forth the criteria and requirements regarding the City’s Police Officers’ Retirement Plan (the “Plan”); and

WHEREAS, the Parties desire to clarify specific provisions of Article 43 related to post-retirement stipends, Deferred Retirement Option Program participation, and cost of living adjustments to address language ambiguity and stylistic conformity with the City’s Code of Ordinances related to the Plan; and

WHEREAS, the Parties recognize that this Memorandum of Understanding clarifies the interpretation and stylistically modifies certain provisions of Article 43 of the Agreement but does not amend or modify any Article contained in the Agreement.

NOW, THEREFORE, the Parties agree to as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. Article 43 “Pension” of the Agreement is amended as follows¹:

¹ Additions to existing text are shown by underline; deletions are shown by ~~striketrough~~.

- 43.5.1 All members employed by the City on or after October 1, 2024, as of July 1, 2020 who then retire from City service ~~after the ratification date of the 2019-2020 Agreement~~ shall, in the first full month following their retirement from City service (provided such member has at least twenty (20) years of credited service with the City or provided such member left the City at age fifty-five (55) or older with more than five (5) years of credited service with the City), receive a post~~[-]~~retirement stipend equal to forty dollars (\$40) per month per year of service up to a cap of eight hundred dollars (\$800) per month until they reach the age of sixty-five (65). For example, a member who worked for the City for twenty (20) years or more years shall, beginning the first full month after retirement, receive a stipend of eight hundred dollars (\$800.00)/month until they reach the age of sixty-five (65).

- 43.7 As soon as practicable following ratification of this Agreement, the parties agree to revise the Plan to allow bargaining unit members, who are presently in the DROP, or who enter the DROP on or after ratification of this Agreement, to remain in the DROP for up to seven (7) years, provided those employees make a one and one-half percent (1.5%) contribution of applicable Tier 1 or Tier 2 Earnable Compensation (to be deducted from pay) ~~(to be deducted for pay)~~ for any time worked during an employee's sixth or seventh year in the DROP.

- 43.8 As soon as practicable following ratification of this Agreement, the parties agree to revise the Plan to include the following or similar language: "If the plan has a positive actuarial experience for the prior fiscal year, the Board of Trustees may authorize a non-recurring cost of living adjustment benefit increase for retired members commencing in the third year after retirement and separation from DROP if applicable. Such increase, if any, would not exceed 3.0% of the annual benefit in any given year. This aforementioned benefit is to replace the previous thirteenth check benefit/program for any member who separates from city service anytime on or after October 1, 2024. The pension board may adopt any administrative rules necessary to administer the cost-of-living benefit adjustment. Retirees who separated from city service prior to October 1, 2024 are not eligible for this benefit but shall retain all rights in effect on the date of their retirement.

3. The Parties recognize that this MOU only clarifies the interpretation of sections 43.5.1, 43.7, and 43.8 of the Agreement, and does not modify any other Article or subsection therein contained in the Agreement.
4. The Parties agree that this MOU represents that Parties' entire agreement and cannot

be amended or modified without the expressed, written consent of the Parties.

City of Lauderhill, Florida

**The Florida State Lodge, Fraternal Order
of Police Lodge #161**

By: _____

By: _____

Dated: _____

Dated: _____