

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered between the City of Hollywood ("City") and the Broward County Police Benevolent Association ("PBA") (collectively referred to as the "Parties").

WHEREAS, the City and the PBA are in the process of negotiating a successor collective bargaining agreement ("CBA"); 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, in consideration for the promises contained herein, the parties agree as follows:

1. That the above noted recitals are true and correct and are incorporated as part of this MOU.
2. That all bargaining unit members shall receive a three percent (3%) across the board wage increase effective October 1, 2017.
3. That this MOU shall not be considered a waiver of any right to continue to collectively bargain for pay and benefits in the 2017-2018 contract year and beyond. This MOU will not be used by either party as waiver of any rights in any future or current proceeding.
4. The Parties signify their agreement with this MOU by affixing their signature below.
5. This MOU shall become effective upon ratification by both the City and the PBA.

WHEREFORE, the Parties acknowledge and understand the intent of this MOU and agree to be bound thereby, executed on this 7 day of may, 2018, between the City and the PBA.

WITNESSES:

As to the Broward County PBA

WITNESSES:

Pauline C. Wallace

PAULINE C. WALLACE

As to the City

Attest:

Pat Cerny
Pat Cerny, PATRICIA A. CERNU
City Clerk

Cintya Ramos
Cintya Ramos,
Director of Financial Services

BROWARD COUNTY PBA

Jeff Marano
Jeff Marano, President
Date: 4/3/18

CITY OF HOLLYWOOD, a municipal Corporation of the State of Florida

BY: Josh Levy
Josh Levy,
Mayor

Wazir Ishmael
Approved: Wazir Ishmael
Dr. Wazir Ishmael,
City Manager

George R. Keller
George R. Keller,
Assistant City Manager

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

Douglas R. Gonzales
Douglas R. Gonzales,
CITY ATTORNEY

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 18 day of April, 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 *DF*