

**PALM BAY POLICE AND FIREFIGHTERS' PENSION
PLAN BOARD OF TRUSTEES
Regular Meeting 23-10**

Held on the 8th of September, 2023 at Robert J. Conlan Professional Center, 1501 R. J. Conlan Blvd., NE, Suite 240, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

Timothy W. Lancaster, Chairperson, called the meeting to order at the hour of 9:00 a.m.

ROLL CALL:

CHAIRMAN:	Timothy W. Lancaster	Present
VICE CHAIRMAN:	Jason Dorey	Present
SECRETARY:	James W. Brock	Present (Late)
TRUSTEE, BRD APPT:	Anthony T. Sacco	Present
TRUSTEE, CITY COUNCIL:	Benjamin J. Kiszkiel	Present

Also, in attendance was Ms. Kathy Adams, Board Administrator, Ms. Katie Taglia-Polak, Office Manager and Ms. Alice Tabares, Pension Assistant Palm Bay Police and Firefighters' Pension Fund; and Ms. Amanda Sparks, Employee Relations Specialist, Human Resources Department, City of Palm Bay, telephoned at 9:00 a.m.; Mr. Patrick Donlan, Actuary, Foster and Foster, Inc. telephoned at 9:12a.m.; Mr. Robert D. Klausner, Board Attorney, Klausner Kaufman, Jensen and Levinson, P.A. telephoned at 9:22 a.m.

Motion by Mr. Dorey, seconded by Mr. Sacco to excuse Mr. Brock as he was running late. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea. Mr. Brock arrived at 9:20 a.m.

AGENDA REVISIONS:

Motion by Mr. Dorey, seconded by Mr. Sacco under Adoption of Minutes to pull from Consent August Quarterly Minutes 23-09, add Under New Business, *1. Consent Warrants for Payment, i. JP Morgan Asset Management-\$25,313.89-Management Fee for the RE Strategic Property Fund for Period Ending 6/30/2023, Invoice 20230630-1788-A (Police Fund Only); Remove Old Business, Office Business j. Annual Required

Contribution, it was listed twice; Under Office Business change k. Slug a Bug to j. Slug A Bug and l. Board Administrator Updates to k. Board Administrator Updates; Add under New Business Add Consent item *12 Reduction of Monthly Pension and COLA Due to the Election of an Early Social Security Option Firefighter Retiree Mark Yercine; Move i. State Funding for Police Officers and Firefighters from Office Business to b. under Mr. Patrick Donlan, Actuary, Foster and Foster, Inc. and move f. Annual Required Contribution from Office Business to c. under Mr. Patrick Donlan, Actuary, Foster and Foster, Inc. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

CONSENT AGENDA:

Motion by Mr. Dorey, seconded by Mr. Sacco to approve the Consent Agenda as revised. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

ADOPTION OF MINUTES:

1. Quarterly Minutes 23-09, August 4, 2023-Ms. Adams revised the minutes. On pages 6-8, Under New Business, *1. Warrants for Payment a. through bb. should show an asterisk next to them for Consent. On page 6, Under Old Business, 6. Interfund Transfer, replace the word prepare with authorize. The Motion should read, "Motion by Mr. Kiszkiel, seconded by Mr. Sacco to authorize (strike through prepare) an interfund transfer by liquidating \$3,000 worth of Schwab US Broad Market ETF and \$2,500 worth of the iShares Core Total US Bond ETF held in the General Mutual Fund account and transfer \$5,500 from the General account to the R&D account. Motion by Mr. Dorey, seconded by Mr. Sacco to approve the minutes as revised. Motion carried with members voting as follows: Mr. Dorey, Yea; Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

FOSTER AND FOSTER, INCORPORATED AT 9:15 A.M.

1. Mr. Patrick Donlan, Actuary, Foster and Foster, Inc.
 - a. Assumption Rate-Last September the Board decided to revisit this topic this September. Mr. Donlan reminded the Board last year the investment return assumption was changed from 7.65% to 7.5%. Mr. Lancaster asked if anyone

else was lowering their assumption rate. Mr. Donlan said some plans reduce their assumption by using a glide path of .05 percent per year for five (5) years. Most plans were leaving it alone. In 2022 the average was 7.15 percent. The Plan is still recognizing 25 percent of the bad year using smoothing. Board will keep the assumption rate the same at 7.5 percent, no motion needed.

b. State Funding for Police Officers and Firefighters-Ms. Taglia-Polak has been in contact with the State as we have not received the state checks yet. A stop and reissue were requested on September 5, 2023. Ms. Taglia-Polak was informed it would take seven to ten days. Mr. Brock arrived at 9:20a.m.

c. Annual Required Contribution-Ms. Adams clarified from last meeting that we need approval to forward data for analysis to Foster and Foster to complete the Annual Required Contribution. Motion by Mr. Dorey, seconded by Mr. Sacco to send data to Foster and Foster for Annual Required Contribution. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea. Mr. Donlan left at 9:22a.m. Meeting continued to Old Business 1.

**KLAUSNER, KAUFMAN, JENSEN AND LEVISON, P.A. AT 9:30 A.M.-
CONTINUANCE (the Board Considered this item out of order at 9:30a.m. as
noticed for time certain)**

1. Mr. Robert D. Klausner, Board Attorney-Mr. Klausner sent an email on September 1, 2023 that looked at 55.18 in service distribution. At the time 55.18 was created the retirement age was 62, it is now 50 and prevents rehires in covered positions. If a member is rehired under the same employer (Police Department or Fire Department) in full time status they are required to rejoin the Plan. This creates the issue of drawing a pension and accruing benefits. Ms. Blackledge has a bona fide separation. The Board is within its rulemaking power to interpret 55.18. It can allow a rehire in a non-public safety position, the person must be 50 years old, a normal retiree and have no promise of return. Still, each person must be looked at on a case by case basis. This depends on the facts of each person. Rehire part time at 20 percent of their previous pay and can work as a police officer or firefighter and it not be an in-service distribution. Ms. Blackledge wants to return to a non-public safety position. Currently members lose the supplement upon re employment with the City. 55.07 requires leaving service of the City. If adopted an interpretation all people who were rehired could begin

collecting again. Mr. Lancaster said 55.18 and 55.07 are City code, not a Pension Board negotiation. The FOP would need to negotiate. Mr. Klausner said the Union doesn't bargain for retirees. This is a matter of the Board's interpreting authority. Rights of the rehired are not subject to collective bargaining. Ms. Adams said the supplement was meant to be a Medigap and if a member is rehired by the City they may receive City insurance again. Motion by Mr. Brock, seconded by Mr. Sacco that 55.18H shall be interpreted to provide that a member who is re-employed after a bona separation on normal retirement and has attained age 50 with 20 years of service, may be re-employed in a non-covered position and continue to draw benefits from the Plan. The Board shall determine each such application on a case by case basis. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea. A question arose asking about police reservist working off duty detail. Mr. Klausner asked how it was paid? Mr. Lancaster said through the City. Mr. Sacco asked is it a reservist on payroll? Mr. Lancaster said it is volunteer hours. The discussion about reservist off duty detail was closed and referred to the Fraternal Order of Police (FOP). Mr. Klausner left at 9:48a.m. Discussion continued to Office Business d.

OLD BUSINESS:

1. Property Insurance Coverage-Ms. Lindsay contacted Brightway insurance. Ms. Dejesus is the contact. She was not able to find a carrier to accept the risk. Many insurance companies have shut down for the rest of 2023. We may have better luck January 2024. Ms. Lindsay has started working on the Cyber renewal. Motion by Mr. Dorey, seconded by Mr. Sacco to remain self-insured and stop looking for Property Coverage. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.
2. Salem/TMI Merge with Argent Financial-Nothing new to report on the Merger. Ms. Lindsay and Ms. Taglia-Polak are able to log into Salem's online Weblink system. Ms. Tabares and Ms. Bertolini are still locked out. They are working on gaining access.
3. Audit-The audit is pending. The on-site audit is scheduled for December 5, 2023.

NEW BUSINESS:

*1. Warrants for Payment

*a. Truist Commercial Checking Account-\$419.25-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Timothy W. Lancaster's VISA-This item was approved under Consent.

*b. Truist Commercial Checking Account-\$96.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Jason Dorey's VISA-This item was approved under Consent.

*c. Truist Commercial Checking Account-\$850.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for James Brock's VISA-This item was approved under Consent.

*d. Truist Commercial Checking Account-\$850.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Anthony Sacco's VISA-This item was approved under Consent.

*e. Truist Commercial Checking Account-\$850.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Ben Kiszkiel's VISA-This item was approved under Consent.

*f. Truist Commercial Checking Account-\$850.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Mary K. Taglia-Polak's VISA-This item was approved under Consent.

*g. Truist Commercial Checking Account-\$850.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Alice Tabares' VISA-This item was approved under Consent.

*h. J.P. Morgan Asset Management-\$25,313.89-Management Fee for the RE Strategic Property Fund for Period Ending 6/30/2023, Invoice 20230630-57655-A, (Fire Fund Only)-This item was approved under Consent.

*i. J.P. Morgan Asset Management-\$25,313.89-Management Fee for the RE Strategic Property Fund for Period Ending 6/30/2023, Invoice 20230630-1788-A, (Police Fund Only)-This item was approved under Consent.

*2. New Plan Member Applications; Member Beneficiary Changes; Pre-Retirement\Death Benefit Option Selection Forms; Member Retirement Beneficiary Forms; and DROP Beneficiary Designations-New member applications and beneficiary

forms were accepted and approved on Police Officer Travis Dumont and Firefighters Colter Klasek, Brice Normoyle, Gabriel Pabon, Marisela Augello; member beneficiary forms were accepted and approved on Police Officer Brandon Williams; Share Plan beneficiary designation forms were accepted and approved for Police Officer Travis Dumont and Firefighters Colter Klasek, Brice Normoyle, Gabriel Pabon, Marisela Augello-This item was approved under Consent.

3. Office Business

- a. Equipment Upgrades and Purchases-Mr. Dorey's Surface Pro was repaired. Barracuda Service was paid for. We are waiting for installation.
- b. Employee Reviews-All employees are to be reviewed. Ms. Taglia-Polak has to schedule with Mr. Lancaster a time to do them. The goal is to do them all in one day. The reviews are annual for Ms. Lindsay, Ms. Bertolini and Ms. Tabares and six months for Ms. Taglia-Polak.
- c. Employee VISA Invoice Review for August-Ms. Tabares and Ms. Taglia-Polak's Visa show registration fees for FPPTA. The office received a letter from Truist that states they will include fees and finance charges as part of the minimum payment due and effective Sept. 30, 2023 there will be a penalty if we do not make the minimum payment more than 60 days past due date or within a 6-month period or make the minimum payment more than 30 days past due. Ms. Taglia-Polak called Visa and spoke to a representative who explained we should not have an issue since our cards are set up for auto pay in the full amount each month. The charge is only if you carry a balance. 9:25a.m. Mr. Klausner called into the meeting. Meeting continued to Klausner, Kaufman, Jensen and Levinson, P.A.
- d. Upcoming Events-Educational Opportunities-Ms. Bertolini requested to go to FPPTA. She researched, this is her last opportunity to finish without starting over. Ms. Taglia-Polak asked if the Board wants Ms. Bertolini to continue with CEUs once achieved CPPT? CEUs are two (2) conferences a year, one (1) FPPTA and one (1) other or two (2) FPPTA. Motion by Mr. Brock, seconded by Mr. Sacco to send Ms. Bertolini to FPPTA for advanced class in October and continue CEUs upon completion of the advanced. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

Ms. Adams received the dates by email for Division of Retirement school. It is at the end of September.

- e. Affidavits- Ms. Tabares called those who did not send theirs in. All affidavits have been returned.
- f. Annual Required Contribution-this item was discussed under Mr. Patrick Donlan, Actuary, Foster and Foster, Inc
- g. Project List-Ms. Taglia-Polak reviewed what was completed on the Project list. The Special Tax Notice was updated by Mr. Klausner's office and approved in July. To be in compliance with House Bill Three (3) the Investment Policy was updated and approved in August. Written and On-line Procedure manual is continually updated. Ms. Bertolini completed the Written Records Manual with Established Disposal Schedule in July. It was a large project. She brought questions to Ms. Taglia-Polak and completed it. Motion by Mr. Brock, seconded by Mr. Sacco to approve the Records Manual. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea. Written and Online Checklists were created for: Buyback, Disability, Entering DROP, Exiting DROP, and Retirement. Ms. Taglia-Polak and Ms. Lindsay are currently reviewing the Frequently Asked Questions for the Website. Mr. Lancaster and Mr. Brock both went through the process to remove encryption from the hard drive in August. This is done annually by the two (2) of them in case it is needed for Disaster Recovery.
- h. Procedure Manual-The procedures for DROP returns sheet, Processing Police and Fire Payroll, and PensionGold COLA Guide (provided by Bob Blythe at LRS) and Phone Reimbursements were updated. Motion by Mr. Brock, seconded by Mr. Sacco approve the procedure listed. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.
- i. State Funding for Police Officers and Firefighters--this item was discussed under Mr. Patrick Donlan, Actuary, Foster and Foster, Inc
- j. Slug A Bug-Slug A Bug is increasing their fee from \$89.00 to \$98 per quarterly service. Motion by Mr. Brock, seconded by Mr. Sacco approve the rate increase from Slug a Bug. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

k. Board Administrator Updates-Ms. Adams has a list of things to review with pension staff. Mr. Lancaster has a Frequently Asked Questions he and City Human Resources made. He requested that it be added to the pension fund website under Frequently Asked Questions Page. He will send it after the meeting. Ms. Taglia-Polak updated the hurricane preparation procedure and sent to Ms. Adams for review. Ms. Taglia-Polak has been asked to remove her name and phone number from the hurricane preparation and use Mr. Lancaster and Mr. Brock. One of them can contact staff if needed. Ms. Adams plans to train Ms. Lindsay on Letter of Direction for Recurring Warrants. She will review the website with Ms. Tabares and Ms. Taglia-Polak. She will review the out-process list with Ms. Taglia-Polak. Ms. Adams provided her notice of termination of contract with her last day as December 31, 2023.

4. Application for Disability Police Officer Christopher Jones-The Records have been sent to Dr. Cathy Colet's office. Motion by Mr. Brock, seconded by Mr. Sacco approve the expense of \$3,250 retainer for Dr. Colet to review records and perform the Independent Medical Exam. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.

5. Rehire Inquiry of Retired Police Officer Diana Blackledge-this item was moved under Mr. Robert D. Klausner, Board Attorney

*6. Application and Purchase of Buyback, Police Officer Christopher Morris-This item was approved under Consent.

*7. Termination Refund/Rollover or Vested Termination, if Eligible, or Application for Early Retirement/Vested, Police Officer Craig Parsons-This item was approved under Consent.

*8. Termination Refund/Rollover or Vested Termination, if Eligible, or Application for Early Retirement/Vested, Police Officer Beethovin Gerald-This item was approved under Consent.

*9. Termination Refund/Rollover or Vested Termination, if Eligible, or Application for Early Retirement/Vested, Police Officer Johnny Teague-This item was approved under Consent.

*10. Termination from Employment; Begin Regular Monthly Retirement Distribution and Authorize Share Plan Distribution, Firefighter Granville Krauss-This item was approved under Consent.

*11. Termination Refund/Rollover or Vested Termination, if Eligible, or Application for Early Retirement/Vested, Police Officer Frank Young-This item was approved under Consent.

*12 Reduction of Monthly Pension and COLA Due to the Election of an Early Social Security Option Firefighter Retiree Mark Yercine-This item was approved under Consent.

INPUT FROM ACTIVE AND RETIRED PLAN MEMBERS:

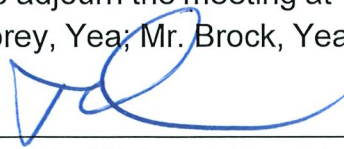
There was no input from any active or retired plan members.

INPUT FROM THE PUBLIC:

There was no input from the public.

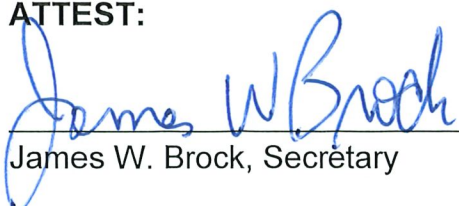
ADJOURNMENT:

Motion by Mr. Brock, seconded by Mr. Sacco to adjourn the meeting at 10.06 a.m. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.



Timothy W. Lancaster, Chairman

ATTEST:



James W. Brock, Secretary