

**PALM BAY POLICE AND FIREFIGHTERS' PENSION
PLAN BOARD OF TRUSTEES
Regular Meeting 24-07**

Held on the 5th of July, 2024 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
TRUSTEE, BRD APPT:	Anthony T. Sacco	Present
TRUSTEE, CITY COUNCIL:	Benjamin J. Kiszkiel	Present

Also, in attendance was Ms. Katie Taglia-Polak, Executive Director and Ms. Alice Tabares, Pension Assistant, Palm Bay Police and Firefighters' Pension Fund; Mr. Sean Sendra, Board Attorney, Klausner, Kaufman, Jensen and Levinson, P.A telephoned at 9:00 a.m.; Ms. Lark Janes, CPA, arrived at 9:00 a.m.; Ms. Amanda Sparks, Human Resources Employee Relations Specialist, Human Resources Department, City of Palm Bay, telephoned at 9:07 a.m.

AGENDA REVISIONS:

Motion by Mr. Brock, seconded by Mr. Dorey under Old Business add 6. Nuveen/Churchill; under New Business add 14. Letter of Engagement, Mauldin and Jenkins, CPA for Profession Auditing Services and *15. Begin Regular Monthly Retirement Distribution; Police Officer Robert Blake. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea.

CONSENT AGENDA:

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

ADOPTION OF MINUTES:

*1. June Regular Minutes 24-06-This item was approved under consent.

LARK JANES, CPA, LLC AT 9:15A.M. (CONTINUANCE:

a. Letter of Engagement-Ms. Janes expressed she would have some changes coming up. In the past she has provided compiled financial statements. The main task she does is tracking. She prepares schedules for the auditors. Ms. Janes will no longer be issuing reports after 2024. This will be a change in practice. The change will begin this October for the next fiscal year. The reports will be through September 2024. 9:07a.m. Ms. Amanda Sparks, City of Palm Bay telephoned in. Ms. Janes will continue to balance and keep up with activity. There will be things in the background she no longer needs to do and will reduce her workload and expenses. Ms. Janes will pass along the savings to the Fund. It is a nine percent (9%) reduction in fees. Ms. Janes assured the Board she will be providing the service that the Fund needs. Mr. Lancaster asked if will it affect the relationship with the auditors? Ms. Janes said it will not, she was unsure if they receive the reports. Ms. Taglia-Polak thought she sent them, but could not be sure, she typically refers to a list as to what the auditors need. The auditors require a reconciliation to Salem. Mr. Lancaster said Ms. Janes caught when the Fund needed to raise money in the past, will that still be the same? Ms. Janes confirmed she would still do a cash flow projection. Mr. Lancaster asked if Ms. Janes will continue to attend the audit meeting. The answer was yes. Mr. Sendra had no issues with this arrangement. Motion by Mr. Brock, seconded by Mr. Dorey to accept the changes and approve the Letter of Engagement. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea. Discussion continued to Old Business 2.

OLD BUSINESS:

1. Disability Guidelines-Mr. Sendra discussed with Mr. Klausner whether a more robust investigation can be done, drug testing and charging a fee for disability application. All of these would be subject to collective bargaining agreement. It would be between the Union and City. It is not done anywhere their firm represents. The union is unlikely to agree. Mr. Sendra could review the Fund's interrogatories and compare them with what the Firm uses. A few plans have an adversarial process the entire time. They use an advocate for the Fund and the member has an attorney. It is the same process then goes straight to a formal hearing. It would require rewriting the guidelines and processes. There would be significant costs. Mr. Sacco asked If there is a fee then why would there need to be a collective bargaining agreement? Mr. Sendra discussed it with Mr. Klausner it must be negotiated because it is a change for the employee and is unlikely to pass. Mr. Sacco said a collective bargaining agreement doesn't cover all pension items, for example the actuary fee that is charged to the employee. Mr. Lancaster said the fees are in ordinance. When retiring the member does not pay the actuary fee, but if they want above and beyond the employee pays. The disability process is in ordinance. According to Mr. Sendra that is an accurate summation. Mr. Sacco wanted to know if there can be an initial fee and then if the person is approved they are reimbursed. Mr. Sendra said people will question if the Board is purposefully denying to take money. People can end up in court. Mr. Sacco said they are three (3) years out from negotiations. Mr. Sendra reminded the Board once the department hires a person, they are taking them as they are. Mr. Sacco said the Board is not involved in hiring. Mr. Sendra suggested speaking with admin at the department to request the procedures. The likelihood of eliminating all fraud is slim. Mr. Sacco asked if there is knowledge of a disability provided in advance of hiring, can the City limit the person? Mr. Sendra said he did not believe that could be done. The person is either fit for the job or they are not. An exception would be if an officer was hired for code enforcement, rather than regular police duties. Mr. Brock left at 9:45 a.m. Mr. Sacco said he thought the City would be more aggressive in hiring someone who is not already injured. Mr. Sendra said if they pass all the procedures and a doctor says they are fit for service there cannot be discrimination in the hiring process. Mr. Brock returned at 9:49a.m. It could be beneficial to interface with the City. Mr. Kiszkiel left at 9:50a.m. There is an influx of disabilities. Mr. Klausner's office is aware of the concern. This is not the only Board to bring up concerns. Mr. Kiszkiel returned at 9:52 a.m. Mr. Sacco said the entire discussion started with Post

Traumatic Stress Disorder (PTSD). There is no X-ray, MRI, CT scan, nothing to look at. An applicant could develop PTSD somewhere else and pass the Palm Bay exam. They should not be able to pass if they truly have PTSD. They are hired then an event reagggravates PTSD, there is nothing definitive to see. A person has potential to collect twice. If a trustee has information they believe is based in fact, bring it forward during the process. It must be actual information. If a trustee has information, who investigates if it is fact? During a formal hearing the Board can hire an advocate. Mr. Klausner's office remains neutral. Ms. Sparks said from a hiring side Human Resources (HR) has to be careful not to discriminate. She said there is a huge national push to hire disabled veterans. From a vetting side what could the City do to psychologically vet an applicant? Are there studies that show what will make someone more or less likely to have or develop PTSD? What would make someone more likely to be triggered by a traumatic event? Many applicants do not have PTSD and make good officers. The City and Pension Fund need to protect themselves. It is unlikely they will ask for medical records upon hiring. It would be a HIPPA violation. People would not want to work for Palm Bay. The job is psychologically taxing, maybe there is something internally that can be done to prevent disability applications. Mr. Sacco felt Ms. Sparks had touched on good points. He said people are being hired from a combat zone to work in law enforcement. Does the City have the ability in the hiring process to make it a more robust process? The psych evaluation is the same for everyone. Ms. Sparks said if it were not the same it would be discriminatory. Mr. Sacco said we put weapons in someone's hands who can be re triggered. Mr. Brock left at 10:14 a.m. If someone has a shoulder injury does the City make sure it is corrected? Mr. Brock returned at 10:16 a.m. Ms. Sparks was unsure, she would have to find out more information. How would the City find out if someone had existing PTSD? The applicant would have to reveal that information. Ms. Sparks said police requirements are very different. Mr. Sacco said they have a Physical Ability Test (PAT). Ms. Sparks asked how often they perform that test once they are hired? Mr. Sacco said only at time of hire. She asked about a psychological test. Mr. Sacco responded only at time of hire and if someone is involved in an officer involved shooting. Mr. Sendra said he has nothing further to discuss on this issue. He said Ms. Sparks is correct about potential discrimination. He suggested the City work with their attorney to provide help on the job before becoming disabled. Mr. Sendra left at 10:26 a.m. The recessed at 10:26 a.m. and reconvened at 10:30 a.m. Discussion continued with Old Business 3.

2. Foreign Birth Certificates-Mr. Sendra reviewed the office received a Russian birth certificate for a beneficiary and it was in a foreign language. The office can accept a green card and drivers license to verify Date of Birth. Birth certificates are requested to confirm date of birth for the actuary. Discussion continued to New Business 14.

3. Palm Bay Professional Firefighters, IAFF, Local 2446 Negotiations-This item is pending.

4. Fraternal Order of Police Negotiations-The final came through and a request for a draft Ordinance was sent to Mr. Sendra and a request for Impact Statement was sent to Mr. Donlan.

5. Fifth Trustee Solicitation-This was announced at the July 2, 2024 City council meeting and will be announced at the second one later this month. The deadline to apply will be July 24.

6. Nuveen/Churchill-Ms. Taglia-Polak was having difficulty getting a response on the Bank Reference Letter she sent over. Mr. Lancaster and she met with representatives from Nuveen at the FPPTA conference. Ms. Garcia completed the Bank Reference Letter and Ms. Taglia-Polak had provided it to Nuveen and a copy of the contract where Salem is part of Argent. Ms. Taglia-Polak informed Nuveen Bank of America would not be completing one. After speaking with Nuveen, sending several documents over the issue appears to be resolved.

NEW BUSINESS:

- *1. Warrants for Payment
 - *a. J.P. Morgan Asset Management-\$20,619.57-Management Fee for the RE Strategic Property Fund for Period Ending 3/31/2024, Invoice 20240331-1788-A, (Police Fund Only)-This item was approved under consent.
 - *b. J.P. Morgan Asset Management-\$20,619.57-Management Fee for the RE Strategic Property Fund for Period Ending 3/31/2024, Invoice 20240331-57655-A, (Fire Fund Only)-This item was approved under consent.

- *c. Truist Commercial Checking Account-\$2,956.77-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Timothy Lancaster's VISA-This item was approved under consent.
- *d. Truist Commercial Checking Account-\$2,505.65-Reimbursement to the Truist Commercial Checking Account for Auto Pay for James Brock's VISA-This item was approved under consent.
- *e. Truist Commercial Checking Account-\$1,587.10-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Benjamin Kiszkiel's VISA-This item was approved under consent.
- *f. Truist Commercial Checking Account-\$2,332.10-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Patricia Lindsay's VISA-This item was approved under consent.
- *g. Truist Commercial Checking Account-\$2,332.10-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Alice Tabares' VISA-This item was approved under consent.
- *h. Truist Commercial Checking Account-\$745.00-Reimbursement to the Truist Commercial Checking Account for Auto Pay for Mary Taglia-Polak's VISA-This item was approved under consent.
- *i. Foster and Foster, Inc-\$4,375.00-Preparation of Exhibit 'B' for attachment to the required Summary Plan Description and Preparation of the 2023 Chapter 112.664 compliance disclosure (Fire Fund Only)-This item was approved under consent.
- *j. Foster and Foster, Inc-\$4,975-Preparation of Exhibit 'B' for attachment to the required Summary Plan Description, Preparation of the 2023 Chapter 112.664 compliance disclosure and Benefit Calculations for Police Officers James Carroll and Christopher Richards-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-A Member Retirement Beneficiary Form was accepted and approved on Police Officer Robert Blake. This item was approved under Consent.

3. Office Business

Ms. Taglia-Polak reminded the Board she would be away. While she is out of the office please contact Ms. Lindsay. Mr. Cole and Ms. Chaviano were notified she would be away in case there was a capital call. Ms. Lindsay was trained on how to handle them.

- a. Equipment Upgrades and Purchases-Mr. Brock and Mr. Dorey's old cell phones were sent back. For phone reimbursements Ms. Tabares will send one reminder for invoices each month. It is important the office receive the September invoices quickly for Fiscal Year End. Microsoft Office 365 was set up on everyone's emails. Ms. Taglia-Polak called Go Daddy and had them refund the Fund \$499.99 for service that is no longer needed now that we will use 365. They billed in advance of the existing service expiring.
- b. Employee VISA Invoice Review for May-Ms. Taglia-Polak has NCPERS registration on her Visa. Ms. Lindsay and Ms. Tabares have NCPERS registration and hotel stay for the last NCPERS on their Visas.
- c. Upcoming Events-Educational Opportunities-Ms. Taglia-Polak reviewed the conferences coming up through the end of the year. Ms. Taglia-Polak asked about the National Accredited Fiduciary (NAF) program for staff who have not completed it. Only Trustees will complete the National Accredited Fiduciary process going forward through NCPERS. Ms. Lindsay and Ms. Taglia-Polak have already completed the NAF program.
- d. Proposed Training-International Foundation Employee Benefits Plan (IFEBP) has not been attended. Remove those going forward. Stop paying for a membership the Fund is not using. Motion by Mr. Brock, seconded by Mr. Dorey to remove IFEBP from the conference list and stop paying for membership. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea.
- e. Office Security-We are waiting on a response from Smart Alarm to the changes Mr. Sendra made on the quote. Discussion continued to Old Business 1.
- f. Affidavits-These will be sent July 11, 2024.
- g. Employee Benefit Statements and Summary Plan Descriptions-These were sent June 13, 2024. Mr. Lancaster discussed changing the Employee Benefit Statements as he receives several calls. People do not understand

how to read them. He wanted to make it easier on the members. Mr. Sacco said the line item is already there and did not feel it was necessary. The Employee Benefit Statements are to remain unchanged.

- h. Checks-Police Officer Stephen Ball's check was returned to Salem by Fidelity. Ms. Taglia-Polak spoke with Mr. Ball and he said to mail it to his house and he would have it deposited at Fidelity. Ms. Taglia-Polak had Ms. Garcia expedite the payment and agreed to pay the \$35.00 fee. Motion by Mr. Brock, seconded by Mr. Dorey to approve the \$35.00 fee to have Police Officer Ball's check expedited. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea. Ms. Taglia-Polak spoke with Mr. Ball again on June 27, 2024 he had received and deposited his check at Fidelity. Ms. Taglia-Polak reviewed the vendors who are paid by check and alternatives to pay them. They are as follows:
- Levi Ray and Shoup, Inc. Ms. Taglia-Polak contacted accounting. She is unsure at this time of another way to pay. Computer Experts will take credit card but charge a 4% fee. 4% of \$1,645 is an additional \$65.80 each month. Jeffcoat's charges vary. He will take credit card but charges a 4.25% fee. Ricoh, does not take credit card any more. The only other way to pay is online checking or savings account ACH only. Pitney Bowes will take credit card but charge a 3% fee. Runabout did send over ACH instructions. Motion by Mr. Brock, seconded by Mr. Dorey to approve paying Runabout by ACH. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea. Office Depot Business Ms. Bertolini researched and it looks like check only. Ultra Clean will take check only. Spectrum allows pay by phone for a \$5.00 fee. Conlan Professional Center takes check only. AT&T Teleconference takes check only. The Fund will only have a few more months with them. Print Depot will take a credit card, there is a 3.5% fee.
- FPL charges a credit card \$15 fee or will ACH from checking. Ms. Lindsay is able to pull one suite invoice online, not both. The other meter is listed under the landlord. We will have to do a new connect. Ms. Taglia-Polak requested information regarding connection. The connection has an admin fee of \$13 and then an estimated general deposit of \$164 for two months (\$82 per month). FPL cannot tell us what the deposit will be until the

decision is made to set up new connection. Additionally, usage will be reviewed after 6 months and it could be increased or left the same.

Ms. Taglia-Polak pointed out besides the fees, paying all these by credit card would max out the credit card. We would run into reimbursing the checking account and possibly running too low. The Board decided to continue with paying by check. The fees would be high to pay so many with credit card.

- i. Procedure for Approval-Beneficiary and Pre-Retirement Form Procedure-Motion by Mr. Brock, seconded by Mr. Dorey to approve the Beneficiary and Pre-Retirement Form Procedure. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea.
4. FPPTA Review-Mr. Kiszkiel felt it was good the FPPTA Board was changing. Mr. Lancaster liked the Taking Chance presenter. He felt the vendor interaction was good.
 5. Proposed Fiscal Year 2024-2025 Budget for Review- Ms. Taglia-Polak requested clarification whether the budget needed to be by line item or total. Mr. Stephen Bardin replied, "The statute is not explicit, so it would be up to your board as to how they want to satisfy this requirement." This information agrees with what Mr. Sendra said at the last meeting. That it is total budget, not line item. Ms. Taglia-Polak reviewed the proposed budget by line item. Actuarial was increased due to expected Experience Study next year. Accounting was reduced due to Ms. Janes reducing her fees and passing on the savings to the Fund. Administrator remains zero (0). The Audit has a 6.78% increase. Legal was increased significantly due to an influx of disability applications. Ms. Taglia-Polak reminded the Board this is not covered under retainer. Pension staff salaries were increased slightly. Computer Expenses will be high next year due to three (3) new desktops, and an estimated four (4) new surface pros, a new server, Microsoft Business Premium and a \$164 monthly increase in the service plan with Computer Experts. Conference expenses are expected to be lower due to the new training policy for employees. There is an increase in supplies. Insurance remained the same. Ms. Taglia-Polak asked the Board if they wanted to increase the self-insurance amount. It would cost about \$50,000 to replace only electronics. The Board decided to keep it the same. Occupancy costs remain the same. Utilities increased slightly. Communications remained the same. Dues and Subscriptions increased slightly. There was no change to Postage.

It is a total increase of \$20,000.00 from the current year. Motion by Mr. Brock, seconded by Mr. Dorey to approve the proposed budget. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster

6. Proposed FY 24-25 Board Meeting Schedule-Ms. Taglia-Polak reviewed the two proposed Board Meeting Schedule options. She thought of a third option but did not have time to provide it. She reminded the Board the audit is on a Tuesday in February due to Churchill investment. Does the Board want to move quarterly meetings one month later so BCA will have final numbers, rather than preliminary? A third option is to have the audit in February and quarterly numbers in March. She checked with Mr. Cole and Mr. Myton to find out if this would interfere with their schedules, it does not interfere with any of them. She asked Ms. Janes if this would interfere with her work and it would not. Mr. Kiszkiel asked that Ms. Taglia-Polak bring the third option to the next meeting.

7. Computer Experts Contract Renewal-Mr. Sendra is waiting on a response from Computer Experts' legal. He is not anticipating any issues. Ms. Taglia-Polak said the monthly is \$1,809.00 for twenty-four (24) months. It is an increase of \$164.00 per month. Motion by Mr. Brock, seconded by Mr. Dorey to approve the fee increase and contract pending Mr. Sendra's review of final. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea. Discussion continued to New Business 3e.

8. Six Month Probationary Review-Katie Taglia-Polak-Mr. Lancaster discussed Ms. Taglia-Polak's performance with Mr. Heinrich and Mr. Sendra. There has been no change in attention to detail. Ms. Taglia-Polak was rated excellent in her overall rating. She and Mr. Lancaster met and discussed previously. She had asked all her questions during their meeting and had no further comment.

9. 112.664 Compliance Reports-We received the 112.664 Compliance Reports from Foster and Foster for Police, Fire and General. They will be posted to site. They were sent to City Manager and Finance Director on June 18, 2024. The Board acknowledged.

*10. Termination from Employment; Begin Regular Monthly Retirement Distribution; Authorize DROP Distribution by Withdrawal/Rollover and/or Annual Distributions as Per

Guidelines and Authorize Share Plan Distribution Firefighter Daniel Elward-This item was approved under consent.

*11. Reduction of Monthly Pension Due to Age 65 Supplement, Firefighter Retiree Wilfred Cordeau-This item was approved under consent.

*12. Request to Close DROP Account Firefighter Mark Andrukaitis-This item was approved under consent.

*13. Request to Close DROP Account Firefighter James Townend-This item was approved under consent.

14. Letter of Engagement, Mauldin and Jenkins, CPA for Profession Auditing Services-Mr. Sendra reviewed and made changes we are waiting for a response from Ms. Wester. When Ms. Taglia-Polak spoke to the auditors it did not sound like they would have an issue with the changes Mr. Sendra had made. The rate for the next audit is \$18,500, that is an increase of \$1,125.00 from last year. Motion by Mr. Brock, seconded by Mr. Dorey to approve the audit rate and contract pending Mr. Sendra's review and approval. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Sacco, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster Yea. Discussion continued to New Business 7.

*15. Begin Regular Monthly Retirement Distribution; Police Officer Robert Blake-This item was approved under consent.

INPUT FROM ACTIVE AND RETIRED PLAN MEMBERS:

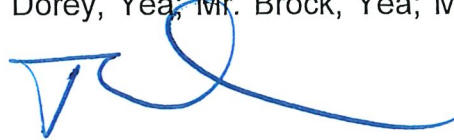
There was no input from active or retired plan members.

INPUT FROM THE PUBLIC:

There was no input from any the public.

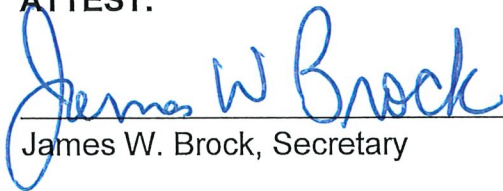
ADJOURNMENT:

Motion by Mr. Brock, seconded by Mr. Dorey to adjourn the meeting at 11:11 a.m. Motion carried with members voting as follows: Mr. Dorey, Yea; Mr. Brock, Yea; Mr. Kiszkiel, Yea; Mr. Lancaster, Yea.



Timothy W. Lancaster, Chairman

ATTEST:



James W. Brock, Secretary