

POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM

**2335 EAST ATLANTIC BLVD.
SUITE 400
POMPANO BEACH, FLORIDA**

**BOARD OF TRUSTEES MINUTES
REGULAR MEETING
SEPTEMBER 21, 2015**

The Board of Trustees convened at the Pompano Beach Police and Firefighters' Pension Office, Pompano Beach, Florida. The Chairman called the meeting to order at 3:03 PM.

PRESENT: Chairman Paul O'Connell
Vice-Chairman Richard Samolewicz
Trustee Sharra Aaronian
Trustee Daniel Christophers (arrived at 3:30 PM)
Trustee Vincent Femia
Trustee Patrick Fletcher
Trustee David Hall
Trustee Peter McGinnis
Trustee Jorge Rossi

ALSO PRESENT: Pedro Herrera, Esq., Board Attorney
Glenda Rowley, Executive Director
Debra Tocarchick, Deputy Director
Gary Morton, Police Retiree Liaison
Carl Tuttle, police member
Adam Burns, police member
Debbie Burns, spouse

AUDIENCE TO BE HEARD

None

APPROVAL OF AGENDA

MOTION: To approve the agenda for September 21, 2015, as presented.
PASSED 8-0.

O'Connell			X	
Samolewicz			X	
Aaronian			X	
Femia			X	
Fletcher		X	X	
Hall	X		X	
McGinnis			X	
Rossi			X	

SEATING OF ELECTED AND APPOINTED TRUSTEES

Chairman O'Connell noted that the Board would be seating reelected and reappointed Trustees. It was noted that these Trustees must abstain from voting for themselves and complete Form 8B, Memorandum of Voting Conflict, which must be attached to the minutes.

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Board of Trustees Minutes Page Two	September 21, 2015	TRUSTEES	M	S	Y	N
<p>MOTION: To reseal Trustee David Hall for a 3-year term expiring 9/12/2018. PASSED 7-0 (Trustee Hall abstained).</p>	<p>O'Connell Samolewicz Aaronian Femia Fletcher McGinnis Rossi</p>	<p>X</p>			<p>X X X X X X X</p>	
<p>MOTION: To reseal Trustee Paul O'Connell for a 3-year term expiring 9/12/2018. PASSED 7-0 (Chairman O'Connell abstained).</p>	<p>Samolewicz Aaronian Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>		<p>X</p>	<p>X X X X X X X</p>	
<p>MOTION: To reseal Trustee Peter McGinnis for a 3-year term expiring 9/12/2018. PASSED 7-0 (Trustee McGinnis abstained).</p>	<p>O'Connell Samolewicz Aaronian Femia Fletcher Hall Rossi</p>	<p>X</p>		<p>X</p>	<p>X X X X X X X</p>	
<p><u>APPROVAL OF MINUTES</u></p>						
<p>MOTION: To waive the reading of the Regular Board meeting on August 17, 2015, and the Professional Advisors Review Committee meeting on August 27, 2015, and to approve same as submitted. PASSED 8-0.</p>	<p>O'Connell Samolewicz Aaronian Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>		<p>X</p>	<p>X X X X X X X X</p>	
<p><u>RATIFICATION AND APPROVAL OF WARRANTS</u></p>						
<p>MOTION: To ratify and approve payment of benefits and expenses as set forth on Warrant No. 4636, \$650.07; No. 4637, \$1,222.44; No. 4638, \$2,770.96; No. 4639, \$1,948.73; No. 4640, \$898.48; No. 4641, \$1,766.48; No. 4642, \$1,223,891.80; No. 4643, \$4,834.83; No. 4644, \$1,766.48. PASSED 8-0.</p>	<p>O'Connell Samolewicz Aaronian Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>		<p>X</p>	<p>X X X X X X X X</p>	

<p>Board of Trustees Minutes Page Three</p> <p style="text-align: right;">September 21, 2015</p>	TRUSTEES	M	S	Y	N
<p><u>SERVICE-INCURRED DISABILITY HEARING FOR DEPUTY SHERIFF CARL TUTTLE</u></p> <p>Deputy Sheriff Tuttle was present but was not represented by legal counsel due to her scheduling conflict. He was advised that Trustee Christophers was not present and waived his right to have a full Board present.</p> <p>Mr. Herrera advised the Board that this is an informal hearing and that they have been provided with all of the pertinent materials and medical records pertaining to the disabling injury/illness in the case. For the application to be granted, the Board must find that Deputy Tuttle has a disability preventing him from performing useful and efficient service as a BSO police officer and that it is total, permanent, and service-incurred. Should the disability retirement application not be granted, the applicant has the right to appeal the decision through a formal administrative hearing. At that point, should the application be denied again, the member has one last opportunity to appeal that decision to the Florida Circuit Court.</p> <p>It was noted that Deputy Tuttle had an Independent Medical Examination (IME), which found that he has incurred a line-of-duty disability that is total and permanent. In addition, he received a letter from BSO stating that his employment was going to be terminated on September 22 as a result of said disability.</p> <p>MOTION: To approve the application from Carl Tuttle for a service-incurred disability retirement, to be effective September 21, 2015, on the basis that his disability is service-incurred, total and permanent. PASSED 8-0 IN A ROLL CALL VOTE.</p> <p>Mr. Tuttle was thanked for his years of service and wished well going forward.</p> <p><u>SUGARMAN & SUSSKIND PA LEGAL REPORT</u></p> <p>Mr. Herrera noted that as Mr. Burns was present at the meeting he felt that the Board's action at its last meeting should be revisited. At the previous meeting, there was a motion to approve Adam Burns' disability application, which motion failed with a 3-4 vote, with five votes being necessary to pass. While a denial is implicit in the failure of the motion to approve and based on the fact that legal counsel for Mr. Burns raised no objection to the Board's action at the prior hearing, he believes that the Board's action is legally defensible. However, he recommended that in the interest of full due process for Mr. Burns as well as preserving and maintaining a clear record for the Board and for any future proceedings in this matter, the Board should consider making a formal motion to deny the disability retirement. Alternatively, the Board could consider a motion to 1) table it for more information and clarification; 2) approve the service-connected disability retirement; or 3) approve a motion for reconsideration of the original motion made from a Trustee on the prevailing side. Based on the above options given by Mr. Herrera, Trustee Hall made a motion to approve Mr. Burns' disability application but it died for lack of a second.</p>	<p>O'Connell Samolewicz Aaronian Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>	<p>X</p>	<p>X X X X X X X X</p>	<p>X X X X X X X X</p>


Board of Trustees Minutes Page Four	September 21, 2015	TRUSTEES	M	S	Y	N
<p>There was considerable discussion about how to proceed on this issue. Mr. Burns participated in the discussion and answered questions from the Board. It was noted that if another vote to deny the application had taken place following the failure of the vote to approve, and assuming everyone would have voted the same way, then the motion to deny would have also failed as there would not have been 5 affirmative votes cast, leaving the Board without a decision either way. It was also noted that historically all votes have been made in the affirmative and a failure to approve was treated as a denial. A question was raised as to how a trustee who was not present could now vote without having had the benefit of hearing what was presented at that meeting. Mr. Herrera advised that it was up to those Trustees to decide independently whether or not they had sufficient information from the "disability book," prior discussions and Board meeting minutes to form a reasonable opinion and cast a vote one way or the other. Mr. Herrera noted again that none of these issues were raised by Mr. Burns or his legal counsel at the prior hearing on this matter or at any point since then. They accepted the Board's previous decision and have moved forward with an appeal request for the formal hearing. This issue was being raised by the Board's legal counsel in an effort to provide due process to the member and clarify the record.</p> <p>Vice-Chairman Samolewicz offered a motion to table but it was noted that there was nothing to table; i.e. the motion at the prior meeting was actually voted on and had an outcome and therefore was no longer on the table. Ultimately, the Board acceded to Mr. Herrera's recommendation to revisit the matter affording full due process for Mr. Burns and clarify the record by entertaining a formal motion to either approve or deny the service incurred disability application.</p>						
<p>MOTION: To deny the application from Adam Burns for service-incurred disability. MOTION PASSED IN A ROLL CALL VOTE 6-3</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>	<p></p>	<p>X X X X X X</p>	<p>X X</p>	<p>X X</p>
<p>Next up for consideration was the September 8, 2015 letter from Adam Burns' attorney requesting a formal hearing for her client. Sugarman & Susskind cannot serve in an advocacy position in the formal hearing process so the Board will need to hire special counsel. Attorneys Bonnie Jensen, who quoted a fee of \$300/hour, and Ron Cohen both said they would perform this service. The Board requested that attorney Gregg Rossman also be contacted for a fee quote. A hearing cannot be scheduled until discovery is complete.</p>						

<p>Board of Trustees Minutes Page Six</p> <p style="text-align: right;">September 21, 2015</p> <p>The Executive Director reported that a member passed away with a 50% joint and survivor benefit payable to his spouse who is in a nursing home. The sons, who have her Power of Attorney, do not wish to tell her that her spouse died because they feel it would be too stressful. Mr. Herrera opined that it would be acceptable to accept an application for benefits executed by the POA, provided that a copy of a valid POA document is obtained along with evidence that the beneficiary is living and that the bank account is in the beneficiary's name.</p> <p><u>ADMINISTRATIVE AND MISCELLANEOUS ISSUES</u></p> <p><u>Election of Officers – Chairman and Vice-Chairman/Secretary</u></p> <p>Chairman O'Connell was nominated for Chairman by Trustee Christophers, seconded by Trustee Femia. There being no other nominations, Trustee O'Connell was reelected Chairman by acclamation. He thanked everyone for their continued confidence.</p> <p>Vice-Chairman Samolewicz was nominated for Vice-Chairman/Secretary by Trustee McGinnis, seconded by Trustee Aaronian. There being no other nominations, Trustee Samolewicz was elected Vice-Chairman/Secretary by acclamation. Vice-Chairman Samolewicz also thanked everyone.</p> <p><u>Investment Committee:</u> Chairman O'Connell reappointed Trustee Aaronian as Investment Committee Chairman. Trustees Christophers, Hall, McGinnis and Rossi will continue to serve.</p> <p><u>Professional Advisors Review Committee:</u> Chairman O'Connell reappointed Trustee Samolewicz as the Professional Advisors Review Committee Chairman. Trustees Femia, Fletcher and Hall will continue to serve.</p> <p><u>Communication Committee:</u> Chairman O'Connell reappointed Trustee Fletcher as Communication Committee Chairman. Trustees Aaronian, Rossi and Samolewicz will continue to serve.</p> <p>The Chairman created a Budget Committee to oversee the annual budget reporting and named Trustee Hall as Chairman, with Chairman O'Connell and Trustee McGinnis also serving.</p> <p>SB 172 requires that each municipal plan file an annual administrative expense budget with the plan sponsor and make it available to the members. Posting the budget on the website is sufficient to make it available to the members.</p>	TRUSTEES	M	S	Y	N

Board of Trustees Minutes Page Seven	September 21, 2015	TRUSTEES	M	S	Y	N
<p>MOTION: To adopt the Administrative Expense Budget for fiscal year 10/1/15 – 09/30/16 as presented, in accordance with SB 172, Chapter 2015-39, and to forward a copy to the City of Pompano Beach. PASSED 9-0.</p> <p>The IT service provider recommended testing the StorageCraft backup and recovery solution and increasing the disk size on the server C: drive.</p>		X			X X X X X X X X	
<p>MOTION: To approve server recovery testing and increasing disk space as recommended by Economic Computers, at an estimated cost of \$1,031.56 for the purchase of four (4) disk drives and approximately eight (8) hours of labor. PASSED 9-0.</p> <p>The Board reviewed the 2015 Annual Disability Questionnaire responses from disability retirees Kimberly Leonard, Mark Munson and Mark Rider.</p>		X		X	X X X X X X X X	
<p>MOTION: To accept the questionnaires from disability retirees Kimberly Leonard, Mark Munson and Mark Rider with no further action. PASSED 9-0.</p> <p>The Board discussed the logistics of the annual holiday party and agreed to keep it following the Board meeting on Monday, December 21. The meeting start time will be changed to 2:00 pm. Mr. Herrera will work on sponsors and everyone was asked to submit their recommendations for the venue.</p> <p>The Executive Director submitted the Deputy Director's annual performance review. Based on her outstanding review, it is recommended to give Ms. Tocarchick a 3% salary increase effective October 1, 2015, in accordance with the Board adopted compensation policy.</p>		X		X	X X X X X X X X	
<p>MOTION: To accept the Executive Director's review and salary recommendation for the Deputy Director, effective October 1, 2015, and to authorize Warrant 4645 to reflect a 3% salary increase. PASSED 9-0.</p>		X	X		X X X X X X X X	

Board of Trustees Minutes Page Eight	September 21, 2015	TRUSTEES	M	S	Y	N
<u>COMMITTEE REPORTS</u>						
<u>Professional Advisors Review Committee</u>						
<p>The Chairman commended the Committee and staff for the work that went into screening and interviewing candidates for Deputy Director. The Committee is satisfied that they have found an ideal candidate in Ms. Cintron and recommended that the Board ratify the Employment Agreement recommended by the Committee. Ms. Cintron is scheduled to start on November 2.</p>						
<p>MOTION: To ratify the Employment Agreement by and between the PBPFRS and Amanda Cintron. PASSED 9-0.</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>	<p>X</p>	<p>X X X X X X X X X</p>	<p>X X X X X X X X X</p>	<p>X X X X X X X X X</p>
<p>No reports were rendered by the Investment or Communications Committees.</p>						
<u>EXECUTIVE DIRECTOR'S REPORT</u>						
<p>Chapter 175 and 185 state funds were received and acknowledged to the DOR.</p>						
<p>Three responses to the Request for Proposals for the pension administration system were received by the September 18 deadline. This matter will be delegated to the Professional Advisors Review Committee for review.</p>						
<p>Vice-Chairman Samolewicz agreed to represent the Board in Chairman O'Connell's place at the Mayor's "State of the City" address.</p>						
<u>ADJOURNMENT</u>						
<p>MOTION: To adjourn the September 21, 2015 meeting at 4:33 PM. PASSED 9-0.</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Fletcher Hall McGinnis Rossi</p>	<p>X</p>	<p>X</p>	<p>X X X X X X X X X</p>	<p>X X X X X X X X X</p>	<p>X X X X X X X X X</p>

Respectfully submitted,


Glenda Rowley, Executive Director

Distribution:

Board of Trustees
Robert A. Sugarman, Esq.
Pedro Herrera, Esq.
David Harris, Actuary
City Manager
Mayor and City Commission Webmaster
City Clerk
Assistant City Attorney
City HR Director
President IAFF Local 1549
Marcum

REGULAR MEETING – SEPTEMBER 21, 2015

ITEM NO. 6 - WARRANT NOS. 4636 THROUGH 4645

Ratified and Approved on 09/21/2015

WARRANT NO.	PAYABLE TO	DESCRIPTION	AMOUNT
4636	Office Depot City of Pompano Beach The Berwyn Group US Postal Service	Inv No. 1825918798, office supplies; \$22.60 2015 Supplements, S-62 and S-63, code of ordinances; \$27.47 Inv No. 30255, annual license fee for death check verification services through July 2016; \$400.00 Postage; \$200.00	650.07
4637	Xerox Corporation AGI, Inc	Inv No. 080934377, Meter usage 6/21-8/1/15; \$22.44 PBI monthly water treatment service, six invoices 9/1/14 through 2/1/15, at \$200.00 each (To be reimbursed by Pompano Beach Investors, LLC); \$1,200.00	1,222.44
4638	G&C Platinum 2500 Investors, LLC	Recurring monthly office rent effective 10/1/15; \$2,770.96	2,770.96
4639	Bank of America	Glenda Rowley: Courier, \$13.95; Board meeting expense, \$8.99, Total: \$22.94 Debbie Tocarchick: Board meeting expense, \$35.47; Office supplies, \$59.34; Comcast cable/internet, \$513.38, Total: \$608.19 Paul O'Connell: FPPTA Fall Trustees School; \$636.30; Chamber of Commerce events, \$45.00, Total \$681.30 Sharra Aaronian: FPPTA Fall Trustees School, \$636.30	1,948.73
4640	Alerus Retirement Solutions ReadyRefresh by Nestle	Inv No. 20156652, dated 8/28/15, Fund Rate administration and recordkeeping fee for quarter ended 6/30/15; \$875.00 Inv No. 05I0009941337, water; \$23.48	898.48
4641	Michael V. McGowan	Refund of contributions as a result of separation of employment on 9/10/2015; \$1,766.48	1,766.48
4642	10/1/15 – Retirement Benefit COLA's	Guaranteed annual cost of living adjustment (COLA) equal to 2% plus retro payments to retirees who reached their 5 th anniversary by 10/1/15; Increased benefits \$1,215,813.35 and retroactive benefits \$8,078.45	1,223,891.80
4643	Michael J. Swiderski	Distribution of entire employee directed DROP account due to separation of service on 12/31/2003; \$4,834.83	4,834.83
4644	Austin J. Rudy	Refund of contributions as a result of separation of employment on 9/09/2015; \$1,766.48	1,766.48
4645	Debra Tocarchick	3% salary increase effective 10/1/2015, less 10% 401(a) employee contribution, less 457 deferred compensation, \$3,135.71; 401(a) employee and employer contribution, \$752.38; 457 employee contribution; \$250.00, Total \$4,138.09	4,138.09

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Hall, David	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police & Firefighters' Retirement System
MAILING ADDRESS 2335 E Atlantic Blvd., Ste 400	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Pompano Beach, Broward	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED September 21, 2015	NAME OF POLITICAL SUBDIVISION: City of Pompano Beach
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, David Hall, hereby disclose that on September 21, 20 15 :

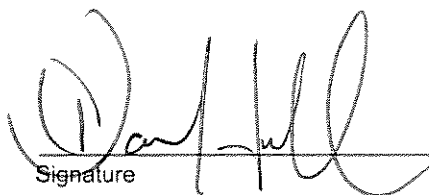
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of my seating to the Board of Trustees of the Pompano Beach Police & Firefighters' Retirement System as a result of my re-appointment by the City Commission for term of office commencing 9/13/2015.

SEPTEMBER 21, 2015
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME O'Connell Paul D.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police & Firefighters' Retirement System
MAILING ADDRESS 2335 E Atlantic Blvd., Ste 400	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="checked" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Pompano Beach	COUNTY BROWARD
DATE ON WHICH VOTE OCCURRED September 21, 2015	NAME OF POLITICAL SUBDIVISION: City of Pompano Beach
	MY POSITION IS: <input checked="checked" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Paul D. O'Connell, hereby disclose that on September 21, 20 15:

(a) A measure came or will come before my agency which (check one)

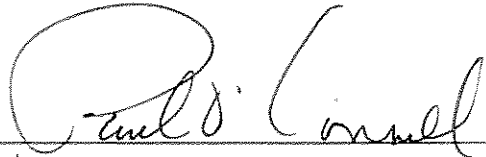
- inured to my special private gain or loss;
- ___ inured to the special gain or loss of my business associate, _____;
- ___ inured to the special gain or loss of my relative, _____;
- ___ inured to the special gain or loss of _____, by whom I am retained; or
- ___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of my seating to the Board of Trustees of the Pompano Beach Police & Firefighters' Retirement System as a result of my election by the police members for a three year term of office commencing 9/13/2015.

September 21, 2015

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME McGinnis Peter	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police & Firefighters' Retirement System
MAILING ADDRESS 2335 E Atlantic Blvd., Ste 400	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Pompano Beach	COUNTY BROWARD
DATE ON WHICH VOTE OCCURRED September 21, 2015	NAME OF POLITICAL SUBDIVISION: City of Pompano Beach
MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Peter McGinnis, hereby disclose that on September 21, 20 15:

(a) A measure came or will come before my agency which (check one)


- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of my seating to the Board of Trustees of the Pompano Beach Police & Firefighters' Retirement System as a result of my election by the firefighter members for a three year term of office commencing 9/13/2015.

September 21, 2015

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Signature

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