

**POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM**

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

**BOARD OF TRUSTEES MINUTES  
REGULAR MEETING  
DECEMBER 21, 2020**

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 3:00 PM.

**PRESENT:** Chairman Paul O'Connell  
Vice-Chairman Richard Samolewicz  
Trustee Sharra Aaronian  
Trustee Daniel Christophers  
Trustee Vincent Femia  
Trustee David Hall  
Trustee Patrick Hanrahan  
Trustee Peter McGinnis  
Trustee Jorge Rossi

**ALSO PRESENT:** Robert Sugarman, Board Attorney (via Zoom)  
Debra Tocarchick, Executive Director  
Maureen Femia, Deputy Director

**VISITORS:** Maja Ben – FundMap (via Zoom)

**AUDIENCE TO BE HEARD**

None

**APPROVAL OF AGENDA**

**MOTION:** To approve the December 21, 2020 agenda as presented.  
PASSED 9-0.

	M O T I O N	S E C O N D	V O T E D Y E S	V O T E D N O
O'Connell			X	
Samolewicz		X	X	
Aaronian			X	
Christophers			X	
Femia			X	
Hall	X		X	
Hanrahan			X	
McGinnis			X	
Rossi			X	

**APPROVAL OF MINUTES**

**MOTION:** To waive the reading of the minutes of the Regular Board Meeting on November 9, 2020, and to approve same as presented.  
PASSED 9-0.

	M O T I O N	S E C O N D	V O T E D Y E S	V O T E D N O
O'Connell			X	
Samolewicz			X	
Aaronian			X	
Christophers		X	X	
Femia			X	
Hall			X	
Hanrahan			X	
McGinnis			X	
Rossi	X		X	

Board of Trustees Minutes Page Two	December 21, 2020	TRUSTEES	M	S	Y	N	
<u>APPROVAL OF SURVIVOR BENEFITS</u>							
<p><b>MOTION:</b> To approve the application for Survivor Benefits from Linda Boris, beneficiary of Robert Boris who deceased on 11/1/2020. PASSED 9-0.</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi</p>	<p>X</p>	<p>X</p>		<p>X X X X X X X X X</p>		
<u>APPROVAL OF RETIREMENT APPLICATION</u>							
<p><b>MOTION:</b> To approve the Normal Retirement from Deferred Vested Status Application from Richard Massarelli effective 12/31/2020. PASSED 9-0.</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi</p>	<p>X</p>	<p>X</p>		<p>X X X X X X X X X</p>		
<u>RATIFICATION AND APPROVAL OF WARRANTS</u>							
<p><b>MOTION:</b> To ratify and approve payment of benefits and expenses as set forth on Warrant Nos. 5292, \$58,078.20; No. 5293, \$81,497.12; No. 5294, \$11,170.15; No. 5295, \$32,673.49; No. 5296, \$4,680.55; No. 5297, \$3,200.24; No. 5298, \$659.08; No. 5299, \$734.00; No. 5300, \$1,327.70. PASSED 9-0.</p>	<p>O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi</p>	<p>X</p>	<p>X</p>		<p>X X X X X X X X X</p>		
<u>SUGARMAN &amp; SUSSKIND, PA LEGAL REPORT</u>							
<p>Mr. Sugarman reported that pension staff disseminated a Police Share Plan Member's Designation of Beneficiary Form to retired police members at his recommendation. This form will allow a retired member to designate his or her beneficiary(s) for the payout of share plan monies should the member decease between the September 30 allocation date and the December 1 payout date. This is the same form that is used for the police active and DROP contributing members and Mr. Sugarman opined that the language is sufficient.</p>							
<p>Mr. Sugarman discussed Chapter 2020-149, Laws of Florida (SB 664), otherwise known as the "E-Verify" law which becomes effective on January 1, 2021. This new law makes the use of E-Verify mandatory for all government employers and certain private employers. E-Verify is a federal electronic database intended to aid employers in confirming that the documentation provided by new-hires to establish their lawful employment</p>							

Board of Trustees Minutes Page Three	December 21, 2020	TRUSTEES	M	S	Y	N
<p>eligibility is in fact valid and they are authorized to work in the United States. Although labor laws define “employers” and “employees” differently, the broad definition included in the new statute would qualify pension plans as “employers” and its service providers as “employees” for purposes of compliance.</p> <p>Mr. Sugarman provided a draft letter and advised that it be sent to each existing service provider advising of the new law and its requirements. Further he recommends the Board update its new-hire protocols and provider agreements for contracts entered into after January 1, 2021.</p> <p>Mr. Sugarman reported the fee addendum to the Nyhart agreement for actuarial services is still under review by Nyhart’s legal counsel.</p> <p>Trustee Christophers raised a question regarding spousal consent on a member’s election of his or her form of pension option and noted that it was a requirement by the Florida Retirement System (FRS) for his recent retirement from BSO.</p> <p>Mr. Sugarman advised that spousal consent is mandatory under the Employee Retirement Income Security Act (ERISA) which governs the private sector. FRS chooses to mirror this private sector requirement. Spousal consent is not, however, a requirement under Chapters 175 or 185. As a result, it is possible for a member to eliminate a spouse from a survivor benefit without their knowledge. Should the Board consider pursuing a policy change, he would need to explore it to make sure it is lawful and permissible.</p> <p>The Board of Trustees requested Mr. Sugarman study the issue further to see if there is anything that can be done to protect a spouse going forward so he or she at least has some advance notice. Mr. Sugarman responded that he will begin the research and report back to the Board.</p>						
<p><b><u>ADMINISTRATIVE AND MISCELLANEOUS ISSUES</u></b></p>						
<p>The Executive Director recommended adopting rates of return for the firefighter share plan account allocations on January 1, 2021.</p>						
<p><b>MOTION:</b> To adopt the net rate of return as 8.33% as the Pension Plan Fund Rate as reported on the 9/30/2020 Breakdown of Returns submitted by Graystone Consulting, and the 9/30/2020 Money Market Rate of 0.83% based on the RBC US Government Money Market Fund, for the purpose of crediting earnings to the firefighters’ share plan accounts on 1/1/2021. PASSED 9-0.</p>	<p>O’Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan 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>The Board reviewed the semi-annual staff sick and vacation accruals.</p>						

<p><b>Board of Trustees Minutes</b> <b>Page Four</b></p> <p style="text-align: right;"><b>December 21, 2020</b></p> <p><u>COMMITTEE REPORTS</u></p> <p><i>Budget Committee:</i> Trustee Hall reported that an informal Budget Variance Report for 9/30/2020 was circulated.</p> <p><u>EXECUTIVE DIRECTOR'S REPORT</u></p> <p>The Executive Director reported the following:</p> <ul style="list-style-type: none"> <li>➤ Signed notification of benefits for Richard Massarelli</li> <li>➤ Daniel Lindsey's December 1 payment was recalled due to his death on November 27, and his September 30 share plan allocation is reissued to his spouse per his general declaration of beneficiary on file in the pension office.</li> <li>➤ Trustee and staff CPPT recertification fees were paid on November 10.</li> <li>➤ A 6<sup>th</sup> distribution in the amount of \$17,814.53 was received from the Madoff Victim Fund on December 15.</li> <li>➤ Staff worked with Grant &amp; Eisenhofer and the Retirement System's IT Consultant on December 17 to perform an online search of documents in the ongoing AmTrust securities matter.</li> <li>➤ FPPTA's Winter Trustee School in Orlando was cancelled as a live event and will be conducted virtually.</li> </ul> <p>The Executive Director provided the Board with a memo detailing the upcoming hotel deadlines and respective financial liability for cancelation of the 2021 Educational Symposium. She noted that she has some level of concern as she continues to see organizations cancel or postpone their live events.</p> <p>Due to the extensive amount of planning involved and the ongoing uncertainty, the Board discussed whether to wait it out or cancel now. While there would be a 50% contractual commitment for room nights, food and beverage, the Board agreed that health and safety concerns come first, and they cannot guarantee everyone's safety at this time. Further, it would not be fiscally prudent to incur any further financial liability by waiting. The Board directed the Executive Director to cancel the contract with the Marriott and inform the investment managers accordingly. Those managers who still have their 2020 voluntary sponsorship contribution on deposit may carry it forward to 2022 or request it be returned.</p> <p><b>MOTION:</b> To cancel the 2021 Educational Symposium and notify the parties accordingly. PASSED 9-0.</p>	TRUSTEES	M	S	Y	N
	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	X		X X X X X X X X X	

Chairman O'Connell discussed a communication from Stehanie Saccaro of Black & Leviton, LLP, a securities monitoring firm. Ms. Saccaro reached out regarding an introduction to the Board regarding her firm's services. The Board felt that five securities monitoring firms was more than sufficient at this time. Mr. Sugarman will convey this information to Ms. Saccaro.

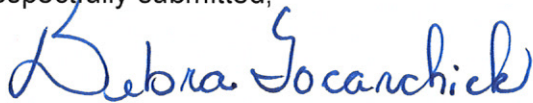
Trustee Hall distributed a Serenitas Credit Gamma Fund Series A Fact Sheet. The Board directed the Executive Director to forward it to Graystone for their review and thoughts.

ADJOURNMENT

**MOTION:** To adjourn the December 21, 2020 Board meeting at 3:31 PM. PASSED 8-0.

O'Connell				X
Samolewicz				X
Aaronian				X
Christophers				X
Femia		X		X
Hall				X
Hanrahan	X			X
McGinnis				X
Rossi				X

Respectfully submitted,



Debra Tocarchick, CEBS  
Executive Director

DISTRIBUTION:

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

**REGULAR MEETING – DECEMBER 21, 2020**

**ITEM NO. 7 - WARRANT NOS. 5292 THROUGH 5300**

**Ratified and Approved on 12/21/2020**

<b>WARRANT NO.</b>	<b>PAYABLE TO</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>5292</b>	JP Morgan Securities/IRA FBO Scott T. Ambrose	Trustee-to-trustee transfer of Fund Rate DROP holdback and earnings less fees for quarter ended 9/30/2020; <b>\$58,078.20</b>	<b>58,078.20</b>
<b>5293</b>	Vantagepoint Transfer Agents/457 FBO William H. Knowles	Trustee-to-trustee transfer of Fund Rate DROP holdback and earnings less fees for quarter ended 9/30/2020; <b>\$81,497.12</b>	<b>81,497.12</b>
<b>5294</b>	Ricardo Roca	Refund of contributions as a result of separation of employment on 8/21/2020; <b>\$11,170.15</b>	<b>11,170.15</b>
<b>5295</b>	Marcum LLP  Morgan Stanley  Nyhart  Xerox Corporation	Inv. No. 101485101; Progress audit billing for 9/30/2020; \$7,000.00, Inv 101493243, Progress audit billing for 9/30/2020; \$3,665.00, <b>Total \$10,665.00</b> Investment consulting fee quarter ending 9/30/2020; <b>\$16,250.00</b> DROP processing fees quarter ended 6/30/2020; \$1,500.00, DROP processing fees quarter ended 9/30/2020; \$1,500.00, Inv No. 0163758 Progress billing for 10/1/2020 valuation; \$2,500.00, <b>Total \$5,500.00</b> Inv No 011988026, November lease; \$150.59, excess print charges; \$107.90, <b>Total \$258.49</b>	<b>32,673.49</b>
<b>5296</b>	Linda M. Boris	Survivor benefits commencing 11/27/2020, under 100% joint and survivor option to designated beneficiary of recipient, Robert L. Boris, who died on 11/1/2020; monthly benefit; \$3,352.85 and one-time share plan payment; \$1,327.70, <b>Total \$4,680.55</b>	<b>4,680.55</b>
<b>5297</b>	Richard M. Massarelli	Normal Retirement benefit effective 12/31/2020; Pro-rate amount for 1 day; \$100.01, Benefit due 1/1/2021; \$3,100.23, <b>Total \$3,200.24</b>	<b>3,200.24</b>
<b>5298</b>	Bank of America	Debra Tocarchick: Telephone & internet; \$307.10, Postage meter lease 11/2/2020–2/1/2021; \$78.00, Board meeting supplies; \$24.98, <b>Total \$410.08</b> Maureen Femia: FPPTA Trustee CPPT Recertifications; <b>\$248.00</b> Paul O'Connell: Publications; <b>\$1.00</b>	<b>659.08</b>
<b>5299</b>	Travelers Insurance	Account No. 8958VA069, Policy No. UB-8J39075-6-18, Renewal of Workers Compensation 1/1/2021 to 1/1/2022; <b>\$734.00</b>	<b>734.00</b>
<b>5300</b>	Dawn Lindsey	Police share plan allocation for 9/30/2020 payable to the designated beneficiary of Daniel Lindsey who died on 11/27/2020; <b>\$1,327.70</b>	<b>1,327.70</b>