#### **50 NE 26<sup>TH</sup> AVENUE BOARD OF TRUSTEES MINUTES SUITE 302 REGULAR MEETING POMPANO BEACH, FLORIDA** MARCH 20, 2023 V V 0 The Board of Trustees convened at the Pompano Beach Police and Firefighters' Pension Office, Pompano Beach, Florida. The Chairman called Т 0 Т Ε the meeting to order at 3:02 PM. Μ S E Е 0 D С D Т 0 Υ Chairman Paul O'Connell Т PRESENT: Ν Vice-Chairman Richard Samolewicz 0 Ν Е Trustee Sharra Aaronian 0 Ν D S Trustee Daniel Christophers Trustee Vincent Femia (arrived at 3:06 PM) Trustee David Hall Trustee Patrick Hanrahan Trustee Peter McGinnis Trustee Jorge Rossi Robert Sugarman, Board Attorney ALSO PRESENT: Debra Tocarchick. Executive Director Maureen Femia, Deputy Director Jeff Swanson (Via Zoom) AUDIENCE TO BE HEARD None CONSENT AGENDA ITEMS a) Approval of Agenda of Regular Board Meeting on March 20, 2023 b) Approval of Minutes of Regular Board Meeting on February 21, 2023 c) Application for Normal Retirement and DROP Entry by Lieutenant Jeffrey Mair d) Approval of DROP Loan Application by Fire Captain John Hudak e) Ratification and Approval of Warrant Log f) Marcum Engagement Letter dated March 14, 2023 – informational The Chairman asked if any Trustee wished to move an item from the consent agenda to the regular agenda for separate consideration. Seeing none, the Chairman called for a motion. O'Connell **MOTION:** To ratify and approve the consent agenda items as presented. Х Samolewicz Х Х PASSED 8-0. Aaronian Х Х Christophers Х Hall

Hanrahan

McGinnis

Rossi

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

Board of Trustees Minutes Page Two	March 20, 2023	TRUSTEES	м	S	Y	N
SOUTHEASTERN ADVISORY SERVICES – JEFF	SWANSON					-
Mr. Swanson briefed the Board on a sophisticated fu on one of his firm's other clients and their custor requesting all clients review their current secu custodians.	lian. As a result, he is					
Mr. Swanson reviewed the February 2023 Flash F The Fund was down 2.2% for the month of Febru 8.5% on a fiscal year-to-date. Cash was increas million, about 7% of assets, which was a positive m Mr. Swanson reviewed the private investment existing investment managers along with the new onboarding. Many of the managers within this spa that while the banking crisis 2.0 is troubling, it will they do and hence beneficial for the portfolio.	uary; however, it was up ed to approximately \$17 love for the Plan. Lastly, manager breakdown of v managers who will be ce have been expressing					
Mr. Swanson reviewed the current structure of th class. As of 12/31/2022 the incumbent manager. Sawgrass made up 23% of the Plan assets. Blackr and safest part of the equity portfolio with \$33 n They have performed well in down markets; their ris and the fee structure is excellent. Sands is a pu high-risk scores with \$10 million, a 4% allocation. is not one in which to expect high returns. S conservative growth manager with \$15 million, a 6% more conservative approach, they lost less than n 2022. One downside to Sawgrass is their recent to clientele although things appear to be improving.	s; Blackrock, Sands and ock is the value manager hillion, a 13% allocation. k scores are appropriate; ire growth manager with The current environment Sawgrass is more of a 6 allocation. Due to their nost growth managers in					
Mr. Swanson provided manager profiles of som managers for the Board to review should there be the equity asset allocation. Bringing on a core ma toward making the total portfolio more defensive if the growth side of the portfolio. Based on the size felt the portfolio was well positioned to handle anot recommendation would be to allocate \$5 million from risk over the long-term. The 5-year risk/return and managers was reviewed, and it was noted that Wa over time in comparison to the other managers interviewing the profiled managers and agreed present at the April 17 meeting.	an interest in broadening anager would be a move he funds were taken from of the Plan, Mr. Swanson her equity manager. The m Sawgrass to hedge the alysis of the profiled core aycross performed better s. The Board discussed					
<b>MOTION:</b> To invite Waycross to interview on April for the Plan's large cap core equity manager Southeastern Advisory Services. PASSED 9-0.		O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	x	*****	

Board of Trustees Minutes Page Three	March 20, 2023	TRUSTEES	м	S	Y	Ν
Mr. Swanson reviewed a proposed Investment Policy noted the Board's existing IPS is silent to risk and measured, and on the ranking of the fund relative to d at the plan level. The proposed IPS addresse Additionally, private credit and private equity have alternative and private investments allocations. An a showing all investment managers, how they are benchmarks. The IPS is reduced from 18 to 9 pages.	I how it is should be other pension systems is both these areas. been added to the addendum was added evaluated, and their					
<b>MOTION:</b> To approve the revised Investment Policy a days after the policy change is communicated to the actuary and the Division of Retirement as recomment Advisory Services and subject to review by Sugarma & Herrera. PASSED 9-0.	ne Plan Sponsor, the nded by Southeastern	O'Connell Samolewicz Aaronian Christophers Femia Hall	x	х	X X X X X X X X	
Mr. Sugarman noted that he would render his opinior after reviewing it the next business day.	n on the proposed IPS	Hanrahan McGinnis Rossi			X X X	
SUGARMAN, SUSSKIND, BRASWELL & HERRERA	LEGAL REPORT					
Mr. Sugarman reported on the status of the new primanager agreements which are done by side letters. is complete. Blue Ocean and Pennant Park were proviside letters and are pending response. The status looked into.	Serenitas' side letter vided revisions to their					
Mr. Sugarman provided a recap of last month's dis calculation of prior service in regard to Fire Chief Brock Brocato requested March 1 as the date for determ including interest. The calculation was determined verified by the actuary. This information was provide February 24. The City Human Resources contacter regarding the sick/vacation conversion and was advise was required in order to calculate the additional intere- payment.	ato. At that time Chief ining the amount due to be \$21,223.87 as d to Chief Brocato on d the Pension Office ed that a payment date					
Initially a memorandum of understanding (MOU) was the intent of the ordinance regarding the purchase of p the preference of the Union was an ordinance amend presented two methods to word the ordinance to adec of the provision.	prior service; however, ment. Mr. Sugarman					
Due to the unchartered nature of the matter, the comfortable expressing a preference and directed N with the City officials at an appropriate time to dis formulate an amendment that will accommodate the negotiating parties.	Ir. Sugarman to meet scuss the issues and					
Mr. Sugarman reviewed and approved the revised Disability Reviews. The revised procedure incorporate to the firefighters' normal retirement date and expand for local and out-of-state re-examinations.	es the changes made					

Board of Trustees Minutes March 20 Page Four	), 202 <b>3</b>	TRUSTEES	м	S	Y	N
Mr. Sugarman reported that the City questioned why the cost for firefighters' cost-of-living allowance (COLA) benefit is included in 10/1/2022 actuarial valuation when the benefit does not become eff until 10/1/2024. According to the actuary, in accordance with ac standards, specifically ASOP 4, any known benefit improvement me valued. Due to the fact that the COLA language is written into the ordi and codified, the liability must be valued, and the cost discounted b present value.	in the fective ctuarial just be inance					
Some level of discussion has taken place with the actuary as to alternatives, if any, could be offered to the City to provide fiscal relief still remaining within the Board's fiduciary responsibility. Two possi were discussed which involved 1) delaying the 0.10% reduction assumed rate of return for a year; and/or 2) increasing the amorti period of the benefit changes from 20 to 30 years. The actuary adv would take approximately 3 weeks to provide impact statements of above suggestions if formally requested by the Board. Mr. Suga discussed another idea that was done in Jacksonville where the mandated through legislation what the actuary had to do. How Jacksonville's actuarial valuation report states it varies from ac standards but follows the law. The Chairman reported he had a meetin City officials to discuss possible options; however, there was no final re	f while ibilities in the ization vised it on the parman e state wever, ctuarial ng with					
The Executive Director distributed a timeline of correspondence betwe and the City covering the request for and rendering of the actuarial i statements for the firefighters' benefit changes.						
In light of its partnership with the City, the Board agreed it is op considering alternatives should the City come to the Board and however, any request must be reviewed and recommended by the ac	d ask;					
<ul> <li>Mr. Sugarman reported on the following items:</li> <li>Reviewed the revised Marcum Engagement Letter and approfor execution by the Chairman.</li> <li>Reviewed a new trust agreement from firefighter Leanna Madeemed it acceptable to be a beneficiary.</li> <li>The proceeds from the AmTrust case were distributed to the and the attorney's fees were paid to the participating firms Sugarman disclosed the fee received by his firm that was pagrant &amp; Eisenhofer out of the fee that G&amp;E received arradditionally out of the settlement fund.</li> </ul>	air and e class s. Mr. paid by					
The Board expressed displeasure in the amount of the settlement red by the Retirement System. Mr. Sugarman explained the lead plaintiff entitled to more than other class members and that attorney's fees red by his firm are not allowed to be offset or reduce the fees charged by h for other services. Mr. Sugarman suggested asking the law firms pres cases how much they anticipate the Fund to be awarded should succeed and ask them to seek a reimbursement to the Retirement S out of the settlement fund for the System's time, effort, and expen serving as a plaintiff.	f is not ceived his firm senting d they System					

Board of Trustees MinutesMarch 20, 2023Page Five	TRUSTEES	м	s	Y	Ν
ADMINISTRATIVE AND MISCELLANEOUS ISSUES					
The Executive Director informed the Board that while preparing to file the state Annual Report, a discrepancy was discovered on page 54 of the 10/1/2022 Actuarial Valuation Report. The fire reserve account was restated to preempt a mismatch in state filing. This revision does not affect either the liability or the contribution calculations. Mr. Sugarman confirmed the approval of the revised report resets the state filing deadline to 60 days from the date of approval. The Chairman directed the Executive Director to file the revised valuation report with the state in 50 days.					
<b>MOTION:</b> To approve the revised 10/1/22 Actuarial Valuation Report as presented and recommended by Nyhart. PASSED 9-0.	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	x	X X X X X X X X X X X	
The Executive Director submitted a cost proposal from Xerox for a new copier lease.					
<b>MOTION:</b> To approve the Copier Lease Agreement with Xerox Corporation for a period of 48-months effective 4/20/2023, at a monthly lease cost of \$136.11, subject to review and approval of the Lease Agreement by Sugarman, Susskind, Braswell & Herrera; and as recommended by the Executive Director wo is authorized to sign the electronic version on behalf of the Chairman. PASSED 9-0.	Samolewicz Aaronian Christophers	x	x	× × × × × × × × × × × × × × × × × × ×	
The Executive Director submitted a revised policy and procedure for the IRS required minimum distribution from a DROP account which incorporates the changes from the Secure 2.0 Act.					
<b>MOTION:</b> To approve the revised Policy for Required Minimum Distributions from a DROP account in accordance with the changes made by the Secure 2.0 Act signed into law on December 29, 2022 as reviewed and recommended by Sugarman, Susskind, Braswell & Herrera. PASSED 9-0.	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	x	× × × × × × × × × × × × ×	
The Executive Director submitted a revised policy and procedure for Annual Disability Reviews.					

Board of Trustees MinutesMarch 20, 2023Page Six	TRUSTEES	М	S	Y	Ν
<b>MOTION:</b> To approve the revised Disability Review Procedure as drafted by the Executive Director and reviewed by Sugarman, Susskind, Braswell & Herrera. PASSED 9-0.	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	Х	*****	
COMMITTEE REPORTS				Λ	
No Committee Reports were rendered.					
CHAIRMAN'S REPORT					
The Chairman informed the Board of a roast for member Major Wayne Adkins, with proceeds going to support the Sample McDougald House charity.					
<b>MOTION:</b> To purchase the Copper Table Host for the Roast of Major Wayne Adkins with proceeds to support the Sample McDougald House. PASSED 8-1.	O'Connell Samolewicz Aaronian Christophers		х	X X X	х
During discussion, Trustee Christophers requested Mr. Sugarman's advice on the appropriateness of charitable donations from the Retirement System.	Femia Hall Hanrahan	х		X X X	^
Mr. Sugarman responded that in the past there have been connections to the pension Board by the person being honored or memorialized. This Board is one of his few clients who do this; however, from a legal perspective, it is a reasonable expense within the city and the industry.	McGinnis Rossi			X X	
EXECUTIVE DIRECTOR'S REPORT					
The Executive Director reported the following:					
<ul> <li>Responded on February 27 to the City's request from Commissioner Alison Fournier for Trustee attendance records.</li> <li>Processed Share Plan distributions on March 1 for 160 members in the amount of \$6,716,348.14. Today the Board will sign warrants for 31 more. There are 28 remaining.</li> <li>Submitted Annual Report to the Division of Retirement on March 13.</li> <li>The Chamber of Commerce is requesting to use the Board's meeting room for their meetings. Trustee McGinnis clarified that they were advised they may only use it during business hours.</li> <li>Received proceeds of \$9.30 for the AmTrust securities litigation case.</li> <li>A direction letter was provided to Salem Trust Company to set up the first self-directed money market account since we transitioned from Morgan Stanley.</li> </ul>					

Board of Trustees Minutes Page Seven	March 20, 2023	TRUSTEES	M	S	Y
The Chairman mentioned the IFEBP Annual Conference October in Boston and the Public Funds Forum will be hele South Carolina. The Chairman requested to add the Pul to the list of authorized conferences to attend.	d in September in				
<b>MOTION:</b> To approve the addition of the 2023 Public Fu list of authorized educational opportunities for any Trustee	nds Forum to the . PASSED 9-0	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	x	****
MOTION: To adjourn the March 20, 2023 Board mee PASSED 9-0.	ting at 5:21 PM.	O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi	x	x	****
Respectfully submitted, <u>Debra Jocarchick</u> 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 – MARCH 20, 2023**

## CONSENT AGENDA - WARRANT NOS. 5681 THROUGH 5719

# Ratified and Approved on 03/20/2023

WARRANT NO.	PAYABLE TO	DESCRIPTION	AMOUNT
5681	Jessica Pray	Lump sum distribution of Fund Rate DROP account holdback and earnings less fees as of 12/31/2022 (replaces W5649); <b>\$3,808.36.</b>	3,808.36
5682	Charles Schwab/IRA FBO Mathew Fitzgerald	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$70,037.73</b>	70,037.73
5683	MissionSquare/475 FBO Samantha Kievman	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$91,130.62</b>	91,130.62
5684	Dean Fay	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$12,983.51</b>	12,983.51
5685	Alex. Brown/IRA FBO Lawrence Savarese	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$42,505.57</b>	42,505.57
5686	Nyhart (Ascensus) Xerox Corporation	Inv No. 153360DB_202302, 10/1/22 Actuarial Valuation Progress billing; \$9,475.00, Inv No. 153360DB_202301, Final installment on GASB 67/68 Report; \$1,725.00, <b>Total</b> <b>\$11,200.00</b> Inv No. 018293840, February lease; \$150.59, excess print	11,513.23
		charges; \$162.64, <b>Total \$313.23</b>	
5687	Jeremy Tooks	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$15,057.50</b>	15,057.50
5688	Robert Smith	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$36,070.14</b>	36,070.14
5689	Brandon Cales	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$15,057.50</b>	15,057.50
5690	Ryan Pagan	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$11,222.06</b>	11,222.06
5691	Michael Cleveland	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$26,796.39</b>	26,796.39
5692	Sean Grove	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$58,319.50</b>	58,319.50
5693	TD Ameritrade FBO Peter Rodgers	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$20,100.42</b>	20,100.42
5694	Pension Technology Group, Inc.	Inv No. 2987, Support & hosting services for quarter ended 3/31/2023; <b>\$7,000.00</b>	7,000.00
5695	MissionSquare/475 FBO Robert Olsen	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$72,594.45</b>	72,594.45

## **REGULAR MEETING – MARCH 20, 2023**

## CONSENT AGENDA - WARRANT NOS. 5681 THROUGH 5719

## Ratified and Approved on 03/20/2023

5696	Michael Scanzera	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$72,594.45</b>	72,594.45
5697	Pershing LLC FBO Mark Baker	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; partial distribution directly to member; \$56,869.42; and trustee-to-trustee transfer of remaining balance; \$30,000.00, <b>Total</b> <b>\$86,869.42</b>	86,869.42
5698	Michael DeSane	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$15,057.50</b>	15,057.50
5699	Ashley Hemery	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$29,361.57</b>	29,361.57
5700	Leanna Mair	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$58,319.50</b>	58,319.50
5701	Economic Computers Daniel Christophers Richard Samolewicz	Inv No. 23083, Firewall 2-Year security subscription; <b>\$1,249.00</b> Board meeting expense reimbursement 2/21/2023; <b>\$66.00</b> Board meeting expense reimbursement 2/21/2023; <b>\$77.43</b>	1,392.43
5702	Jay Lester	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$72,807.50</b>	72,807.50
5703	MissionSquare/475 FBO Michael Guardalabene	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$72,594.45</b>	72,594.45
5704	Michael Hughes	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$11,222.07</b>	11,222.07
5705	Ryan Arrick	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$11,222.07</b>	11,222.07
5706	Jairo Perez	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$15,057.50</b>	15,057.50
5707	MissionSquare/475 FBO Rohm Kern	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$64,498.20</b>	64,498.20
5708	MissionSquare/475 FBO Steven Gernant	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$60,450.09</b>	60,450.09
5709	Bank of America	Debra Tocarchick: Soniclear license renewal; \$395.00, Telephone & internet; \$384.44, Courier; \$24.04, Publications; \$15.00, <b>Total \$818.48</b> Maureen Femia: Board meeting supplies; \$193.13, Publications; \$22.99, <b>Total \$216.12</b> Daniel Christophers: Board meeting expense, 2/21/2023; <b>\$211.57</b>	1,536.70

## **REGULAR MEETING – MARCH 20, 2023**

## CONSENT AGENDA - WARRANT NOS. 5681 THROUGH 5719

## Ratified and Approved on 03/20/2023

	Bank of America (continued)	Vincent Femia: FPPTA Winter Trustees School expense; <b>\$40.80</b> Richard Samolewicz: Board meeting expense 2/21/2023; <b>\$249.73</b>	
5710	John D. Hudak Florida Department of Revenue Nyhart	DROP loan net amount to John D. Hudak; <b>\$19,780.00</b> Documentary stamps for John D. Hudak DROP loan; <b>\$70.00</b> Loan processing fee for John D. Hudak; <b>\$150.00</b>	20,000.00
5711	Nicole Velarde	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$18,328.67</b>	18,328.67
5712	Fidelity Management Trust Company/IRA FBO Bradley Lawson	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$73,446.70</b>	73,446.70
5713	Morgan Stanley FBO Kelli Darracott	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$84,312.70</b>	84,312.70
5714	Sanda Manuchian-Coman	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$3,776.95</b>	3,776.95
5715	TD Ameritrade Clearing/403b FBO Samuel Durda	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$23,608.36</b>	23,608.36
5716	Kitt Cruz	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$18,328.67</b>	18,328.67
5717	Daniel Friesmuth	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$51,288.57</b>	51,288.57
5718	Local Government Federal Credit Union/IRA FBO Ryan R. Hengstler	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$5,952.23</b>	5,952.23
5719	Local Government Federal Credit Union/IRA FBO Ryan R. Hengstler	Refund of contributions via trustee-to-trustee transfer to Local Government Federal Credit Union/IRA as a result of separation of employment on 10/21/2022; <b>\$15,844.06</b>	15,844.06