

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

**50 NE 26<sup>TH</sup> AVENUE  
SUITE 302  
POMPANO BEACH, FLORIDA**

**BOARD OF TRUSTEES MINUTES  
REGULAR MEETING  
JUNE 20, 2023**

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 (arrived 3:01 PM)  
Trustee David Hall (arrived 3:14 PM)  
Trustee Patrick Hanrahan  
Trustee Peter McGinnis  
Trustee Jorge Rossi

ALSO PRESENT: Robert Sugarman, Board Attorney  
Pedro Herrera, Board Attorney  
Debra Tocarchick, Executive Director  
Maureen Femia, Deputy Director

VISITORS: Chase Davis, Active Firefighter (via Zoom)

AUDIENCE TO BE HEARD

None

CONSENT AGENDA ITEMS

- a) Approval of Agenda of Regular Board Meeting on June 20, 2023
- b) Approval of Minutes of Educational Symposium and Business Meeting May 4 through May 6, 2023
- c) Approval of Normal Retirement and DROP Application from Fire Chief Chad Brocato
- d) Approval of DROP Loan Application from Fire Captain William Krebs
- e) Ratification and Approval of Warrant Log
- f) Informational – DROP Fund Rate of Return Letter for Quarter Ended March 31, 2023
- g) Informational – DROP Self – Directed Rate of Return Letter for Quarter Ended March 31, 2023

The Chairman delayed the Legal Report until all Trustees were present.

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.

MOTION	SECTION	VOTED	YES	NO

Board of Trustees Minutes Page Two	June 20, 2023	TRUSTEES	M	S	Y	N
<p><b>MOTION:</b> To ratify and approve the consent agenda items as presented. PASSED 8-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis Rossi	X		X X X X X X X X	
<u>ADMINISTRATIVE AND MISCELLANEOUS ISSUES</u>						
<p>The Executive Director requested the Board ratify her letter of intent to terminate staff's MissionSquare 401(a) governmental money purchase plan. Staff is now transferred into the Pompano Beach General Employees' Retirement System resulting in a permanent discontinuance of contributions which constitutes a Plan termination. The target termination date is July 29, 2023. The two existing retirees were notified accordingly.</p>						
<p><b>MOTION:</b> To ratify the Executive Director's May 30, 2023 letter of intent to terminate the MissionSquare 401(a) Governmental Money Purchase Plan as a result of the permanent discontinuance of contributions, as recommended by Sugarman, Susskind, Braswell &amp; Herrera. PASSED 8-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis Rossi	X	X	X X X X X X X X	
<p>The Executive Director submitted the election timetable for the 2023 Trustee elections.</p>						
<p><b>MOTION:</b> To approve the Trustee Election Timetable as presented. PASSED 8-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis Rossi	X		X X X X X X X X	
<p>The Chairman appointed Trustees Aaronian, Hanrahan and Rossi to the Election Committee.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis Rossi	X	X	X X X X X X X X	
<p>The Board reviewed the staff's semi-annual staff sick and vacation accruals.</p>						
<p>The Executive Director submitted the 2023 Educational Symposium Financial Report. The Board was very pleased with the venue and requested staff commence negotiating the 2024 hotel contract.</p>						
<p>Trustee Samolewicz expressed displeasure with the way an investment manager was terminated during the recent Symposium. He felt that the Board deviated from its past protocol and did not give the manager a fair opportunity to respond to the Board's concerns.</p>						
<p>Trustee Samolewicz requested a protocol be developed for future considerations of watch and/or termination status. The Chairman agreed to</p>						



Board of Trustees Minutes Page Four	June 20, 2023	TRUSTEES	M	S	Y	N
<ul style="list-style-type: none"> <li>➤ Reviewed proposed transfer of Victory/Incore fixed income group to Yousif Capital Management and recommended further information be obtained.</li> <li>➤ Responded to a direct deposit authorization question from staff.</li> <li>➤ Submitted proposed conflict counsel engagement letter with Klausner, Kaufman, Jensen &amp; Levinson firm for execution. This item was postponed pending a decision to the RFP for Legal Services.</li> </ul> <p>Proposed ordinance amendments were drafted and submitted to address IRS compliance for the Secure Act 2.0; to update an overlooked section on firefighter vesting requirements; and for clarification of the language for the purchase of prior service for rehires.</p> <p><b>MOTION:</b> To forward the proposed ordinance amendments to the City Manager’s office with the Board’s recommendation for adoption for compliance with the Secure 2.0 Act, a correction to vesting for accrued benefits, and a correction to language for prior service purchase, as recommended by Sugarman, Susskind, Braswell &amp; Herrera. PASSED 9-0.</p> <p>Mr. Sugarman briefed the Trustees of the details on House Bill 3 which was passed into law and takes effect on July 1, 2023. Any new investment manager agreements will obligate the manager to correspond with the company they are considering investing with via letter containing a mandated disclaimer that the views expressed in the letter are that of the sender and not of the people of the state of Florida. Further, the Plan will have to review its proxy voting guidelines to confirm only pecuniary factors are considered. Further, the Plan will have to file a state report for compliance every two years beginning December 15, 2023. Finally, when the Board hires new service providers, it is not permitted to consider political views, religious views, social views, or diversity of the workforce, but rather only pecuniary factors (unless your consideration of these can be tied to a pecuniary factor).</p> <p>Mr. Sugarman reminded the Trustees to file their Form 1 by July 1. Mr. Herrera noted a new law commencing next year where publicly elected officials will have to file a Form 6; however, it does not apply to the pension board Trustees.</p> <p><u>CHAIRMAN’S REPORT</u></p> <p>Chairman O’Connell briefed the Board on the actuarial presentation given to the City Manager and City Commission by Lawrence Watts, the actuary, at the June 13 City Commission meeting.</p> <p><u>EXECUTIVE DIRECTOR’S REPORT</u></p> <ul style="list-style-type: none"> <li>➤ TMI Holdings, the parent company of Salem Trust, is merging with Ardent. Name and brands will remain the same. No change to employees or the trust system.</li> </ul>	<p>O’Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis Rossi</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>

- PTG, our pension administration system, has partnered with Case 5 Capital.
- Signed Notification of Benefits Forms for Jeffrey Mair and Pedro Cordero.
- Annual Report approved by the Division of Retirement
- Waycross was fully invested on May 16. Total amount is \$18,612,249 representing the initial \$10 million allocation plus the Sawgrass liquidation proceeds of \$8,612,249.
- Maureen completed the purchase of her permissive service credit of 5.42 years in the GERS on May 16.
- Processed share plan distributions:
  - May 12 for 2 members in the amount of \$80,586.24
  - May 17 for 2 members in the amount of \$54,476.83
  - May 29 for 1 member in the amount of \$56,401.97

There are 12 remaining that haven't submitted their paperwork, 1 that is pending forfeiture, and 1 that is deceased pending establishment of estate and application for benefit.
- Status of outstanding private credit manager contracts:
  - Entrust Blue Ocean Fun – All documents executed and submitted on May 11. No capital calls received yet.
  - Pennant Park – Subscription document complete but still no Side Letter.
  - Churchill – Chairman executing Subscription document today. Side Letter will not be available until mid-June. They are targeting a closing date of July 31.

The Executive Director briefed the Board that Jim Kelts of Victory/Incore, the Plan's fixed income manager, will be in attendance at the July 17 Board meeting to discuss the transition of their fixed income group to Yousif Capital. The Board is being asked to consent to this transition to a new manager effective September 1, 2023.

**MOTION:** To adjourn the June 20, 2023 Regular Board meeting at 3:55 PM. PASSED 9-0.

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

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

**REGULAR MEETING – JUNE 20, 2023**

**CONSENT AGENDA - WARRANT NOS. 5739 THROUGH 5758**

**Ratified and Approved on 06/20/2023**

<b>WARRANT NO.</b>	<b>PAYABLE TO</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>5739</b>	Bank of America	Debra Tocarchick: Courier; \$142.49, Publications; \$132.93, Educational Symposium expense; \$106.06, Office supplies; \$34.86, <b>Total \$416.34</b> Maureen Femia: Educational Symposium expense; \$875.00, Board meeting supplies; \$153.31, Publications; \$22.99, <b>Total \$1,051.30</b> Paul O'Connell: Educational Symposium expense; <b>\$9,749.58</b> Sharra Aaronian: Public Funds Forum hotel expense; <b>\$2,128.40</b> Daniel Christophers: Board meeting expense 4/17/2023; <b>\$274.03</b> David Hall: Rental car expense; <b>\$98.06</b> Richard Samolewicz: Board meeting expense 4/17/2023; <b>\$194.00</b>	<b>13,911.71</b>
<b>5740</b>	Francotyp-Postalia  Blackrock Maureen Femia Wells Fargo (Allspring)	Inv No. R1105754720, 5/2/2023 – 8/1/2023 quarterly postage meter lease; <b>\$78.00</b> Inv mgmt. fee quarter beginning 4/1/2023; <b>\$20,691.13</b> Petty cash reimbursement; <b>\$146.83</b> Inv mgmt. fee quarter ended 3/31/2023; <b>\$19,148.58</b>	<b>40,064.54</b>
<b>5741</b>	Kim Williams	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$25,115.26</b>	<b>25,115.26</b>
<b>5742</b>	Fidelity Management Trust Company FBO Daniel Sullivan/IRA	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$29,361.57</b>	<b>29,361.57</b>
<b>5743</b>	Morgan Stanley FBO Vincent Ciccone/IRA	Fund Rate DROP account trustee-to-trustee transfer of 10% holdback, plus earnings less fees for quarter ended 3/31/2023; <b>\$72,220.13</b>	<b>72,220.13</b>
<b>5744</b>	Fidelity Management Trust Company FBO James Pendergast/IRA	Fund Rate DROP account trustee-to-trustee transfer of final residual balance of earnings, less fees, for quarter ended 3/31/2023; <b>\$948.67</b>	<b>948.67</b>
<b>5745</b>	Jessica Pray	Fund Rate DROP account lump sum distribution directly to member of final residual balance of earnings, less fees, for quarter ended 3/31/2023; <b>\$277.24</b>	<b>277.24</b>
<b>5746</b>	Pershing, LLC FBO Robert Schmidt/IRA	Fund Rate DROP account trustee-to-trustee transfer of 10% holdback, plus earnings, less fees, for quarter ended 3/31/2023; <b>\$22,459.19</b>	<b>22,459.19</b>
<b>5747</b>	Sawgrass Sands Lazard	Final Inv mgmt. fee as of 5/10/2023; <b>\$7,485.86</b> Inv mgmt. fee for quarter ended 3/31/2023; <b>\$17,004.50</b> Inv mgmt. fee for quarter ended 3/31/2023; <b>\$21,731.48</b>	<b>46,221.84</b>

**REGULAR MEETING – JUNE 20, 2023**

**CONSENT AGENDA - WARRANT NOS. 5739 THROUGH 5758**

**Ratified and Approved on 06/20/2023**

<b>5748</b>	Kimberly Gandolf	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$56,401.97</b>	<b>56,401.97</b>
<b>5749</b>	Lazard Ascensus	Inv mgmt. fee for quarter ended 12/31/2022; <b>\$20,507.93</b> Inv No. 15336DB_202304, (1) benefit calculation; <b>\$300.00</b>	<b>20,807.93</b>
<b>5750</b>	William Krebs Florida Department of Revenue Ascensus (Nyhart)	DROP loan net amount to William Krebs; <b>\$29,745.00</b> Documentary stamps for William Krebs DROP loan; <b>\$105.00</b> Loan processing fee for William Krebs; <b>\$150.00</b>	<b>30,000.00</b>
<b>5751</b>	Barbara Smith	Change in annual installments from DROP account commencing 7/1/2023; <b>\$5,000.00</b>	<b>5,000.00</b>
<b>5752</b>	Creative Network Innovations, Inc, Nyhart (Ascensus)	Inv No. CW-5319, ADA updates; <b>\$40.00</b> Inv No. 153360DB_202305, Actuarial Consulting; \$2,415.00, Benefit Calculation; \$300.00, <b>Total \$2,715.00</b>	<b>2,755.00</b>
<b>5753</b>	MissionSquare FBO John D. Hudak/457	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$86,656.35</b>	<b>86,656.35</b>
<b>5754</b>	Charles Schwab & Co. FBO Jose Diaz/IRA	Lump sum distribution of balance of Fund Rate DROP account via trustee-to-trustee transfer to Charles Schwab/IRA due to separation of service on 6/3/2023; <b>\$348,622.94</b>	<b>348,622.94</b>
<b>5755</b>	MissionSquare FBO James Martin/457	Trustee-to-trustee transfer of Share Plan account as a result of plan termination on 9/30/2022; <b>\$20,100.42</b>	<b>20,100.42</b>
<b>5756</b>	Pension Technology Group, Inc.	Inv No. 3069, Support & hosting services for quarter ended 6/30/2023; <b>\$7,000.00</b>	<b>7,000.00</b>
<b>5757</b>	Joseph Gomez	Lump sum distribution of Share Plan account as a result of plan termination on 9/30/2022; <b>\$1,974.15</b>	<b>1,974.15</b>
<b>5758</b>	Bank of America	Debra Tocarchick: Educational Symposium expense; \$1,474.00, Telephone & internet; \$767.66, Office Equipment; \$127.52, Courier; \$109.80, Board meeting supplies; \$98.77, Publications; 15.96, <b>Total \$2,593.71</b> Maureen Femia: Educational Symposium expense; \$507.00, Publications; \$22.99, Board meeting supplies; \$20.11, <b>Total \$550.10</b> Paul O'Connell: Educational Symposium expense; <b>\$809.20</b> Sharra Aaronian: Public Funds Forum hotel expense; \$501.57, Educational Symposium expense; \$370.00, <b>Total \$871.57</b> Daniel Christophers: Educational Symposium expense; <b>\$4,736.17</b> David Hall: Educational Symposium expense; \$338.00, Credit for rental car expense; (\$72.27), <b>Total \$265.73</b> Patrick Hanrahan: FPPTA Annual Conference registration; O'Connell \$875.00, FPPTA Annual Conference expense; \$875.00, Educational Symposium	<b>12,938.29</b>

**REGULAR MEETING – JUNE 20, 2023**

**CONSENT AGENDA - WARRANT NOS. 5739 THROUGH 5758**

**Ratified and Approved on 06/20/2023**

		expense; \$370.00, Late fee and interest; \$66.81, Total <b>\$2,186.81</b> Jorge Rossi: Educational Symposium expense; <b>\$370.00</b> Richard Samolewicz: Educational Symposium expense; <b>\$555.00</b>	
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