POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM

50 NE 26TH AVENUE SUITE 302 POMPANO BEACH, ELORID BOARD OF TRUSTEES MINUTES
REGULAR MEETING

SUITE 302 POMPANO BEAC	H, FLORIDA	REGU		R ME		_
	ustees convened at the Pompano Beach Police and on Office, Pompano Beach, Florida. The Chairman called er at 3:01 PM.		M O T	SEC	V O T E D	V O T E D
PRESENT:	Chairman Paul O'Connell Vice-Chairman David Hall Trustee Sharra Aaronian Trustee Daniel Christophers Trustee Richard Cupo Trustee Vincent Femia Trustee Patrick Hanrahan Trustee Peter McGinnis (Via Zoom) Trustee Jorge Rossi		O N	0000	YES	N O
ALSO PRESENT:	Gregg Rossman, Board Attorney Michael Spano, Board Attorney Debra Tocarchick, Executive Director Maureen Femia, Deputy Director Bobby Robbins, Robbins, Geller, Rudman & Dowd Sheri Coverman, Robbins, Geller, Rudman & Dowd Jennifer Hicks, Fire Member J. Freddy Perera, Esq., Attorney for Jennifer Hicks					
VISITORS:	Tracy Lyons, Assistant City Attorney Cindy Lawrence, City Risk Manager Daniel Beecher, City Claims Adjuster II Erica Jones Joey Frazier					
AUDIENCE TO BE	HEARD					
None						
CONSENT AGEND	A ITEMS					
b) Approval of M c) Approval of I 2024 for Batta d) Approval of A Beneficiary of	genda of Regular Board Meeting on April 15, 2024 linutes of Regular Board Meeting on March 18, 2024 Normal Retirement and DROP Entry Effective May 1, alion Chief Robert Weihs application for Survivor Benefits from Dorothy Nystrand, Rick Nystrand and Approval of Warrant Log					
consent agenda to	n asked if any Trustee wished to move an item from the the regular agenda for separate consideration. Seeing n called for a motion.					

Board of Trustees Minutes April 15, 2024 Page Two	TRUSTEES	М	S	Y	N
MOTION: To ratify and approve the consent agenda items as presented. PASSED 9-0.	O'Connell Hall Aaronian Christophers Cupo Femia Hanrahan McGinnis Rossi	X	X	X X X X X X X	
PRESENTATION RE SECURITIES MONITORING BY ROBBINS, GELLER, RUDMAN & DOWD Bobby Robbins and Sheri Coverman were in attendance on behalf of					
Robbins, Geller, Rudman & Dowd (RGRD), one of the Board's securities monitoring firms. Ms. Coverman provided a brief overview of the firm noting they are the largest securities monitoring firm in the country with ten offices in the US and over 200 attorneys. The firm was recently named top securities law firm of the year for the third year in a row by ISS SCAS. Mr. Robbins briefed the Board on a few large cases the firm was recently involved in where they successfully recovered funds.					
The firm has been providing portfolio monitoring services to the Fund since 2014, at no cost. All monitoring is done in-house by firm employees, not by third-party vendors. They monitor the assets, stock purchases and notify the Board whenever there is alleged stock fraud. The cases are tracked and there is notification of settlement when there is a right to file a claim. Over the ten years that RGRD has provided this service to the Board, the Fund has received over \$379,000 back from securities litigation settlement cases with RGRD cases responsible for roughly one-half this amount.					
RGRD actively uncovers fraudulent activity daily by performing their own investigations and not waiting for other securities monitoring firms to initiate a case. As a result, over the last four years, the firm has uncovered, initiated and litigated cases that produced \$2.7 billion for investors.					
Ms. Coverman mentioned it had been some time since RGRD representatives had met with the Board; and she thanked the Trustees for being a valued partner.					
CONTINUATION OF INFORMAL DISABILITY HEARING FOR FIREFIGHTER JENNIFER HICKS					
Mr. Rossman provided a brief summary of the answers provided by Dr. Rose in response to the Board's request for clarification of information contained within his IME Report dated February 17, 2024. The Board was seeking clarification as it relates to PTSD treatment timeline, recovery rate, and chance of reoccurrence if presented with a traumatic event, for purposes considering the question of total and permanent disability.					

Board of Trustees Minutes April 15, 202 Page Three	4 TRUSTEES	М	S	Υ	N
Dr. Rose expressed his opinion that if Ms. Hicks received the appropriate evidence-based treatment, 12 months may be an appropriate amount of time to see if the treatment yields results. He believes the general odd always start at 50:50 for recovery depending on the severity of the condition and proper treatment. Dr. Rose indicated he has not treated an firefighters for PTSD but noted he has seen police officers and combaveterans go back to the line of duty with certain accommodations and others were unable to make the transition back. Dr. Rose prefers to refer to PTSD medical conditions as treatable not curable.	of s e y at d				
Ms. Hicks was present and represented by her attorney, Mr. J. Fredorera. Mr. Perera opined on the addendum report of Dr. Rose and highlighted the lack of support to his response to the question "Will she better enough to be a firefighter again?". Dr. Rose had answered it is hard to say, but Ms. Hicks advised him she would like to return to work if she received the proper treatment and was able to attain a higher level of functioning. Mr. Perera asked what the relevance is of Ms. Hick statement indicating she would like to be a firefighter again — she is not there to diagnose herself. Additionally, Mr. Perera stressed the importance of Dr. Rose's statement regarding Ms. Hicks' ability to go back to work wit certain accommodations. Such accommodations are not possible wit regard to being a firefighter. The law states the accommodations the employer needs to provide are those that reasonably allow an employee to perform the necessary job. There is no obligation for the City or an employer to lower the standard to do the job. Mr. Herera indicated that he does not believe anyone comes away from reading this addendum with an confidence that Ms. Hicks can return to her regular and continuous services as a firefighter.	d e d e d e of f of ot e h h e o y e y				
Mr. Perera reiterated from the prior meeting the difference between maximum medical improvement (MMI) and total and permanent disability. He questioned even if Ms. Hicks can recover enough to be at MMI, which the City and multiple doctors have concluded she is already at, it does not mean she is in a position to return to work regularly and continuously as firefighter in accordance with the job description. It fails the fundamentation common sense test of whether she can be a firefighter again.	/. h bt a				
The Chairman opened up the floor for discussion. During discussion, it was questioned whether there was any treatment that Ms. Hicks declined of anything else she could have done since Dr. Rose stated she could go better with proper treatment. Additionally, the ambiguousness of Dr. Rose's responses to the addendum questions was called into question because how can the doctor be so vague regarding Ms. Hicks chances of getting better yet so definitive that her disability is not total and permanent particularly when he noted he has never treated a firefighter.	or et r. n of				
Mr. Perera noted that it is not accurate that Dr. Rose states Ms. Hicks careturn to be a firefighter with the proper treatment. He actually states that twelve months is a reasonable time to determine if the proper treatment yields <i>any</i> benefit. Further, since the worker's compensation doctors	at				

Board of Trustees Minutes Page Four	April 15, 2024	TRUSTEES	М	s	Y	N
claimed that Ms. Hicks was faking her mental illness, t and therefore she was not provided the appropriate r The end result was the settlement and separation agre	esources or therapy.					
It was asked if another independent medical experformed. Mr. Rossman indicated it is an option. Fue each Trustee to interpret the information and facts of render an opinion based on competent and substantial or the other.	orthermore, it is up to the case. They may					
MOTION: To approve the application from Jennifer incurred disability retirement to be effective April 15, 20 her disability is service-incurred, total and permanent. IN A ROLL CALL VOTE 7-1, (Trustee Rossi abstained Form 8-B)	024 on the basis that . MOTION PASSED	O'Connell Hall Aaronian Christophers Cupo Femia	X		X X X X	
During discussion on the motion, it was request reevaluate the "questions criteria" for PTSD claims of the unique and convoluted nature of this illness.		Hanrahan McGinnis		Х	X	X
During further discussion on the motion, Trustee Christ Gaines case from many years ago where a member we job-related; however, the Board questioned whether permanent. The member had been terminated by the Board interpreted that the City's termination of the meand permanent and therefore granted the disability.	vas injured and it was er it was total and City. As a result, the					
Mr. Rossman advised that for the Board to remain on should provide a fair hearing, give the member due per decision based on competent and substantial evidence	rocess, and render a					
Trustee Christophers advised the Board he will arrange Committee meeting to review the questions for PTS The Executive Director will share another Plan's revidisability questionnaire.	SD disability claims.					
GREGG ROSSMAN LEGAL REPORT						
Mr. Rossman advised he has not received any informative regarding the proxy voting process. The Executive D to BlackRock to follow up on the notification process.						
Mr. Rossman stated the proxy voting will not be a burd report back to the Board if it becomes onerous.	den; however, he will					
ADMINISTRATIVE AND MISCELLANOUS ISSUES						
The Executive Director submitted the Deputy performance review.	Director's annual					

Board of Trustees Minutes April 15, 2024 Page Five	TRUSTEES	М	s	Y	N
MOTION: To accept the Deputy Director's review and salary recommendation for the Deputy Director effective May 6, 2024. PASSED 8-0 (Trustee Femia abstained and filed Form 8B).		X	x	X X X X X X X	
COMMITTEE REPORTS					
Professional Advisors Review Committee:					
Chairman Hall directed the Executive Director to profile the responses to the RFP for Actuarial Services. The comparison matrix can be reviewed and discussed at the Symposium and the Board can decide which firms it may wish to interview.					
CHAIRMAN'S REPORT					
The Chairman reported that he attended the City Commission meeting on April 9 for the actuarial presentation on behalf of the Plan.					
EXECUTIVE DIRECTOR'S REPORT					
The Executive Director reported the following:					
 The DOR Annual Report was approved on March 28. Staff opened a Costco business account and credit card to purchase new laptops for the Board. After evaluating several sources, Costco offered the best laptops at the lowest cost. Nine laptops are being replaced at a cost of \$399.99 each. 					
Prior to adjourning the meeting, Trustee McGinnis requested permission to arrange a meeting for staff to meet the City HR team. Any interested Trustees should feel free to attend. The Board agreed by consensus.					
<u>ADJOURNMENT</u>					
MOTION: To adjourn the April 15, 2024, Board meeting at 4:08 PM. PASSED 9-0.	O'Connell Hall Aaronian Christophers Cupo Femia Hanrahan McGinnis Rossi	X	x	X X X X X X X	

Board of Trustees Minutes Page Six	April 15, 2024	TRUSTEES	М	s	Υ	N
Respectfully submitted, Debra Jocarchi L Debra Tocarchick, CEBS Executive Director						
Board of Trustees						
Gregg Rossman, Esq. Michael Spano, Esq. Lawrence Watts, Actuary City Manager Mayor and City Commission City Clerk Assistant City Attorney City HR Director President IAFF Local 1549 Marcum						

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

LAST NAME—FIRST NAME—MIDDLE NAME Jorge Rossi		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police and Firefighters Retirement System				
MAILING ADDRESS 50 NE 26th Avenue, Suite 302	Va.	WHICH I SERVE IS		THORITY OR COMMITTEE ON		
CITY	COUNTY	CITY	□ COUNTY	□ OTHER LOCAL AGENCY		
Pompano Beach	Broward	NAME OF POLITIC				
DATE ON WHICH VOTE OCCURRED April 15, 2024		MY POSITION IS:		☑ 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Jorge Rossi	, hereby disclose that on April 15	24 :
(a) A measure came or will come	before my agency which (check one or more)	
✓ inured to my special private	e gain or loss;	
inured to the special gain	or loss of my business associate,	;
	or loss of my relative,	
	or loss of	
whom I am retained; or		
inured to the special gain	or loss of	_ , which
is the parent subsidiary, or	r sibling organization or subsidiary of a principal which has retained me.	
(b) The measure before my agen	cy and the nature of my conflicting interest in the measure is as follows:	
memorandum on record w have no domestic partners	e recommendation of the Florida Ethics Commission who advised they have an opinion where the Commission has taken the position that even if a couple are not married, ship arrangement and and have 100% separate financial accounts, a gain or loss could naring of household expenses.	
	on would violate confidentiality or privilege pursuant to law or rules governing attorneys, a publicably with the disclosure requirements of this section by disclosing the nature of the interest in succe of the conflict.	
April 15, 2024	C/N T	
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 Vincent Femia	ИЕ	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police and Firefighters Retirement System		
MAILING ADDRESS 50 NE 26th Avenue, Suite 302		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:		
CITY	COUNTY	☑ CITY	COUNTY	OTHER LOCAL AGENCY
Pompano Beach	Broward		TICAL SUBDIVISION:	¥
DATE ON WHICH VOTE OCCURRED April 15, 2024		MY POSITION I	S: DELECTIVE	☑ 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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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	14
I, Vincent Femia	, hereby disclose that on April 15	, 20 24 :
(a) A measure came or will come be	pefore my agency which (check one or more)	
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, spouse Maureen Femia	;
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 subsidiary, or s	sibling organization or subsidiary of a principal which has retained me.	
(b) The measure before my agency	y and the nature of my conflicting interest in the measure is as follows:	
	n would violate confidentiality or privilege pursuant to law or rules governing attorneys, a ply with the disclosure requirements of this section by disclosing the nature of the interest of the conflict.	
April 15, 2024	1	

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.

REGULAR MEETING – APRIL 15, 2024

CONSENT AGENDA - WARRANT NOS. 5854 THROUGH 5860

Ratified and Approved on 4/15/2024

WARRANT NO.	PAYABLE TO	DESCRIPTION	AMOUNT
5854	Daniel Christophers Ascensus (Nyhart) Gavin Rose, M.D.	Board meeting expense reimbursement, 3/18/2024; \$66.00 Inv No. 153360DB_202403, Benefit calculations (3); \$900.00, Actuarial consulting; \$1,062.50, Actuarial Valuation 10/1/2023 final billing; \$17,541.00; Inv No. 153360FO_202403 DROP fees quarter ended 9/30/2022; \$2,500.00, Total \$22,003.50 IME Report, Jennifer Hicks, \$10,300.00	32,369.50
5855	Dorothy Nystrand	Survivor benefits commencing 4/1/2024 under 75% joint & survivor option to designated beneficiary of recipient, Rick Nystrand, who died 3/11/2024; Retroactive monthly benefit 4/1/2024 to 4/30/2024; \$4,681.20; Benefit 5/1/2024; \$4,681.20, Total \$9,362.40	9,362.40
5856	Jennifer Hicks	Normal Retirement benefit commencing 4/1/2024 as a result of reaching end of DROP period on 3/18/2024; Retroactive monthly benefit 4/1/2024 to 4/30/2024; \$5,941.71; Benefit 5/1/2024; \$5,941.71, Total \$11,883.42	11,883.42
5857	Southeastern Advisory Services, Inc. Xerox Corp. Florida U.C. Fund Travelers Insurance	Inv No. 2401, Investment consulting fee as of 12/31/2024; \$39,871.00 Inv No. 020999920, March lease; \$136.11, excess print charges; \$99.59, Total \$235.70 Reemployment taxes quarter ending 3/31/2024; \$64.81 Account No. 2641M2202, casualty and surety crime policy 4/20/2024 to 4/20/2025; \$485.00	40,656.51
5858	Bank of America	Debra Tocarchick: Telephone & internet; \$444.73, Educational Symposium expense; \$223.52, Office supplies; \$19.02, Courier; \$18.40, Publications; \$15.96; Website domain 1-yr renewal; \$4.99, Total \$726.62 Maureen Femia: Board meeting supplies; \$123.50, Publications; \$22.99, Total \$146.49 Daniel Christophers: Board meeting expenses, 3/18/2024; \$751.53	1,624.64
5859	Waycross Lazard Sands	Inv mgmt. fee quarter ending 3/31/2024; \$28,549.78 Inv mgmt. fee quarter ending 3/31/2024; \$23,243.09 Inv mgmt. fee quarter ending 3/31/2024; \$36,691.43	88,484.30
5860	Yousif Martin Currie	Inv mgmt. fee quarter ending 3/31/2024; \$7,459.51 Inv mgmt. fee quarter ending 3/31/2024; \$14,672.94	22,132.45