

# BOARD OF TRUSTEES OF THE CITY PENSION FUND FOR FIREFIGHTERS & POLICE OFFICERS

In the City of Pembroke Pines  
Hampton Professional Center  
1951 NW 150<sup>th</sup> Avenue – Suite #104  
Pembroke Pines, FL 33028

## REGULAR MONTHLY MEETING – APRIL 16, 2015

The four hundred thirty-eighth meeting of the Firefighters and Police Officers Pension Fund in the City of Pembroke Pines was called to order at 2:01 p.m. by Chairman Al Xiques.

<b>1. Roll Call –</b>	<b><u>Fire Members</u></b>	<b><u>Police Members</u></b>	<b><u>City Members</u></b>
	Adam Cabeza Robert Johnson Frank Musumeci	Carl Heim Kevin Venema Al Xiques	Gary Arenson Jack McCluskey Vicki Minnaugh

**Others Present:** P/O Davina Gulliver; P/O Kris Gulliver; Robert Winess, Esq.; Steve Cypen, Attorney for the Fund; Larry Wilson, GRS Actuary for the Fund; James Fisher, Plan Administrator; Rachel Maldonado, Assistant Plan Administrator.

2. **Informal Disability Hearing** – Attorney Cypen introduced P/O Davina Gulliver's application for consideration and reviewed the protocols and appropriate motions for the hearing. At the informal level, the Board must focus only on the materials provided, including the written opinions of the doctors and any statements made during this proceeding. To receive approval of a service-incurred disability, the following criteria must be met:

1. The injury must be incurred in the line of duty.
2. The injury sustained must have caused a total disability.
3. The disability must be permanent.

P/O Gulliver was represented by Robert Winess, Esq. Two addendums to Ms. Gulliver's recorded were given to the Board including a clarification of Dr. Lupu's conclusion after Ms. Gulliver's IME with him and also a set of letters provided by the City regarding Ms. Gulliver's dismissal. Mr. Winess did not think that the doctors should be privy to these letters from the City if they have not already been provided to them.

Mr. Winess argued that Ms. Gulliver was injured in a secondary on-duty car crash that exacerbated existing injuries that may or may not have been work-related. Even though two doctors concluded Ms. Gulliver's disability was not work-related, Mr. Winess said the accident and resulting injuries qualify Ms. Gulliver for a service-incurred benefit.

The Board expressed interest in speaking directly with the doctors in order to clarify their professional opinions on the work-relatedness of the injury. The Board also would like a City representative present. Motion by Vicki Minnaugh, second by Jack McCluskey, to continue the hearing at the informal level to allow the three doctors to attend the meeting as well as City personnel. Motion carried unanimously.

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**The Board recessed at 3:33 PM. Upon reconvening at 3:43 PM, some agenda items were given priority.**

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11. **Annual Staff Evaluations** – The Board discussed the annual evaluations for the Administrator and Assistant Administrator. Both are guaranteed a step increase under contract assuming satisfactory performance. All trustees agreed that this was the case. The office staff requested consideration for life insurance, resulting in a payment higher than the City's group term life insurance rate since the office staff is not eligible to participate in City sponsored benefits. Motion by Gary Arenson, second by Vicki Minnaugh to award \$100 per month for life insurance expenses. The motion carried unanimously.

14. **Proxy Voting Discussion** – Mr. Cypen said the proposed contract was acceptable. Motion by Vicki Minnaugh, second by Gary Arenson to hire Marco Consulting under the terms of the contract provided. The motion carried unanimously.

18. **Input from Retirees:** P/O John Sammarco came to the Board to discuss his 2014 72(t) tax and penalty as a result of his re-employment. Mr. Sammarco reported speaking to the City's HR director Dan Rotstein regarding the same and to request assistance from the City. Mr. Rotstein instructed Mr. Sammarco to petition the Board believing the Board had jurisdiction in the matter. The Board reported that in a previous meeting, it had been determined that per IRS rules, the Pension Board is not allowed to pay for penalties, taxes, or fees out of fund money, but the Plan Sponsor is allowed to assist in this area. The Board instructed Mr. Sammarco to return to Mr. Rotstein for resolution.

16. **Reports:**

**Actuary** – Mr. Wilson reported the Department of Management Services released final rules on providing newly requested supplemental data to the annual evaluation. Mr. Wilson reported that the evaluation was approved and he would comply with the additional reporting in time for the set deadline which is 60 days from April 29.

3. **Approval of Minutes for March 19, 2015** – Chairman Xiques presented minutes from the March 19, 2015 meeting for approval. Motion by Gary Arenson, second Carl Heim, to approve the minutes. The motion carried unanimously

4. **Approval of DROP Benefits** – The following DROP benefits were presented for approval.

- P/O Sean Yap, Joint & 100% Contingent, effective 4/1/15
- P/O Jason Elias, 10 Yrs Certain & Life, effective 3/1/15
- P/O Wayne Katz, Joint & 100% Contingent , effective 3/1/15

Motion by Vicki Minnaugh, second by Kevin Venema, to approve the list of DROP benefits. The motion carried unanimously.

5. **Approval of DROP Distributions** – The following DROP benefits were presented for approval.

- F/F Louis Nettina – Monthly \*\*\*
- F/F Sam Halpert – Monthly & Lump Sum \*\*\*
- F/F Jimmy Sanchez – Lump Sum \*\*\*
- P/O Britney Combs – Lump Sum \*\*\*
- P/O John Hess – Lump Sum \*\*\*
- P/O James Ryan – Lump Sum \*\*\*
- P/O Dave Thompson – Lump Sum \*\*\*

Asst. Administrator Maldonado asked the Board to add an additional DROP distribution to the agenda.

- P/O Ken Witte – Lump Sum \*\*\*
- P/O Michael Hones – Lump Sum \*\*\*
- P/O Lance Carman – Monthly \*\*\*

Motion by Vicki Minnaugh, second by Gary Arenson, to add the DROP distribution for Witte, Hones, and Carman to the agenda. The motion carried unanimously. Motion by Gary Arenson, second by Vicki Minnaugh, to approve the amended list of DROP distributions, pending a required signature by P/O James Ryan. The motion carried unanimously.

*\*\*\* Schedule A is available upon request. Please contact the Pension Office if you wish to view it.*

The IRC 415 screening tool results were provided to Actuary Larry Wilson. When appropriate, his office will provide the necessary letters to members indicating distributions will not pose a problem with the IRC 415 limitation at the present time.



6. **Request for DROP Loan(s)** – The following DROP Loans were presented for Board consideration by Chairman Xiques:

- F/F Charles Cozzati \*\*\*
- P/O Kevin Hones \*\*
- P/O William Bucknam \*\*\*

\*\*\* Schedule A is available upon request. Please contact the Pension Office if you wish to view it.

Motion by Jack McCluskey, second by Vicki Minnaugh, to approve the DROP Loans as presented. The motion carried unanimously.

7. **Request for Refunds** – The following refunds were presented to the Board for approval.

- F/F Anthony DeJesus
- F/F Greg Church

Motion by Vicki Minnaugh, second by Gary Arenson, to approve the refunds. The motion carried unanimously.

8. **Ratify Special Warrant #629** – Warrant #629 was presented to the Board for ratification. Motion by Vicki Minnaugh, second by Jack McCluskey, to ratify special warrant #629. The motion carried unanimously.

<b>DROP Distribution:</b>	
P/O Christian Hemingway - *** Less FIT	***
<b>FIT:</b>	
P/O Christian Hemingway – FIT	***
<b>TOTAL</b>	***

\*\*\* Schedule A is available upon request. Please contact the Pension Office if you wish to view it.

9. **Approval of Vendor Warrant #630** –Chairman Xiques presented Vendor Warrant #630 for approval. Motion by Vicki Minnaugh, second by Gary Arenson, to approve Warrant #630 in the amount of \$324,311.68. The motion carried unanimously.

Name (Pension Benefits, Services Rendered or Obligations)	Amount
Cypen & Cypen – Monthly Retainer for April 2015	\$3,250.00
Hampton Professional Center Condo #2, Ste 104 (Monthly Maintenance – May 2015)	\$407.72
Twilight Industries, LLC – (Maintenance – April 2015)	\$152.00
SunTrust (James Fisher)	\$1,142.15
SunTrust (Rachel Maldonado)	\$605.65
GRS – February 2015	\$11,980.00
Inverness – Fixed Income Fees for Q/E 6/30/15	\$67,850.31
Inverness – Equity Fees for Q/E 6/30/15	\$133,266.65
CRU Inv. #3190	\$138.00
CRU Inv. #3183	\$69.00
GSK Inv. #20409632 (For 9/30/14 Audit)	\$16,100.00
LMCG – Large Cap Fees for Q/E 3/31/15	\$38,698.80
LMCG – Mid Cap Fees for Q/E 3/31/15	\$45,708.89
Holland & Knight – Inv. #3166212	\$1,075.00
Dr. Starr – Gulliver IME	\$750.00
Dr. Stone – Gulliver IME	\$350.00
Dr. Lupu – Gulliver IME	\$2,000.00
FP&L	\$178.44
Amsterdam Printing (Pens)	\$550.28
LEAF – Property Fee	\$38.79
<b>GRAND TOTAL</b>	<b>\$324,311.68</b>

12. **Approval of Member Warrant #631** –Chairman Xiques presented Member Warrant #631 for approval. Motion by Kevin Venema, second by Vicki Minnaugh, to approve Warrant #631 in the amount of \$473,591.99. The motion carried unanimously.

**DROP Withdrawals:**

F/F Louis Nettina – Monthly DROP Withdrawal commencing 5/1/15	***
F/F Samuel Halpert – Monthly DROP Withdrawal commencing 5/1/15	***
F/F Samuel Halpert – Lump Sum DROP Withdrawal less FIT	***
F/F Jimmy Sanchez – Lump Sum DROP Withdrawal less FIT	***
P/O Britney Combs – Lump Sum DROP Withdrawal less FIT	***
P/O John Hess – Lump Sum DROP Withdrawal less FIT	***
P/O James Ryan – Lump Sum DROP Withdrawal less FIT	***
P/O David Thompson – Lump Sum DROP Withdrawal less FIT	***
P/O Ken Witte – Lump Sum DROP Withdrawal less FIT	***
P/O Michael Hones – Lump Sum DROP Withdrawal less FIT	***
P/O Lance Carman – Monthly DROP Withdrawal commencing 5/1/15	***
U.S. Treasury – FIT – W/H (Halpert, Sanchez, Combs, Hess, Ryan, Thompson, Witte, Hones)	***

**DROP Loans:**

F/F Charles Cozzati - DROP Loan Less Documentary Stamp	***
P/O Kevin Hones – DROP Loan Less Documentary Stamp	***
P/O William Bucknam – DROP Loan Less Documentary Stamp	***

**Documentary Stamp for DROP Loans:**

Florida Department of Revenue – Documentary Stamp (Cozzati)	***
Florida Department of Revenue – Documentary Stamp (Hones)	***
Florida Department of Revenue – Documentary Stamp (Bucknam)	***

**Refund of Contributions:**

F/F Anthony DeJesus – Refund less FIT	***
F/F Greg Church – Refund less FIT	***
U.S. Treasury – FIT – W/H (DeJesus, Church)	***

**TOTAL** **\$473,591.99**

**NEW BUSINESS**

12. **DROP Loan Interest Rate for Q/E 6/30/15** – Agenda packets included information that the Wall Street Journal prime rate at the beginning of the current quarter remained at 3.25%. It was noted that the DROP Loan Rules provide for 1% interest to be added to the WSJ rate. Motion by Vicki Minnaugh, second by Adam Cabeza, to approve a 4.25% DROP Loan interest rate for loans approved by the Board during April, May, and June of 2015. The motion carried unanimously.

**UNFINISHED BUSINESS**

13. **Status of “Are You Alive?” Affidavits** – Asst. Administrator Maldonado reported that after sending certified letters, there were still seven members whose affidavit was outstanding. Motion by Vicki Minnaugh, second by Jack McCluskey to stop the May 1<sup>st</sup> payments after one last attempt to contact the parties via phone call. The motion carried unanimously.
15. **Agricultural Product Discussion** – This discussion was deferred since Mr. Cypen reported was still revising portions of the contract.
17. **Reports (Continued):**

**Chairman** – No report.

**Plan Administrator** – Administrator Fisher reported that retired P/O Robert Scopa resigned from City employment.

Asst. Administrator Maldonado reminded the trustees of the upcoming NCPERS, State, and FPPTA Conferences.

Attorney – Nothing additional at this time.

19. Input from Active Members: None.

20. Input from Trustees: None.

21. Public Comment: None.

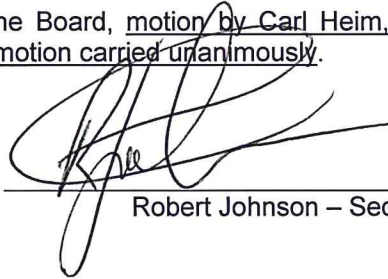
22. Adjournment – Chairman Xiques announced that the next regular meeting would be held on **Thursday, May 21 at 1:00 PM**, since it is quarterly meeting. The following managers are scheduled to present:

- Herndon
- Atlanta Capital
- Dahab Associates

There being no further business to come before the Board, motion by Carl Heim, second by Vicki Minnaugh, to adjourn the meeting at 4:44 p.m. The motion carried unanimously.



Al Xiques – Chairman



Robert Johnson – Secretary