

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM HELD IN THE CONFERENCE ROOM AT CITY HALL ON WEDNESDAY, AUGUST 23, 2000 IMMEDIATELY FOLLOWING 1:30 PM WORKSHOP.

I. ROLL CALL:

A. Employees' Retirement Board:

The Chairman called the meeting to order at 2:14 PM.

Trustees present were Mayor Thomas Ramiccio (Chairman), and Messrs. Robert Lepa and Pat Testa; Vice Chairman John Charest absent; Finance Director Chuck Powers was absent. Also present were Kenneth Harrison, Esquire, sitting in for Board Attorney Robert A. Sugarman and Recording Secretary Valerie Hurley, City Clerk's Office.

II. ADDITIONS/DELETIONS/REORDERING:

A. Employees' Retirement Board:

None.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

None.

III. UNFINISHED BUSINESS:

A. Employees' Retirement Board:

1. Receive and file letter dated August 1, 2000, from Robert A. Sugarman, Esq., Sugarman & Susskind, to Rey Velazquez, Labor Attorney, City of Lake Worth, re the re-employment of pension recipient Larry Baker.

Action: It was moved by Mr. Powers, seconded by Mr. Lepa, to receive and file the letter dated August 1, 2000, from Robert A. Sugarman, Esq., Sugarman & Susskind, to Rey Velazquez, Labor Attorney, City of Lake Worth, re the re-employment of pension recipient Larry Baker.

The attorney's opinion was that, in order to not have retiree Baker's pension benefits suspended as a result of his re-employment by the City, such re-employment would have to be on a contractual basis.

Vote: 4/0 - Aye; Mr. Charest absent.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

None.

IV. NEW BUSINESS:

A. Employees' Retirement Board:

1. **From Derry Josey, Public Works Department, requesting regular retirement based on the Rule of 20-years and Out, effective August 20, 2000.**

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to grant, with regret, the request of Derry Josey, Public Works Department, for regular retirement, based on the Rule of 20-years and Out, effective August 20, 2000.

Vote: 4 – Aye; Mr. Charest absent.

2. **From Kim E. Neering, Utilities Department, requesting regular retirement based on Rule of 20-years and Out, effective September 5, 2000.**

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to grant, with regret, the request Kim E. Neering, Utilities Department, for regular retirement, based on the Rule of 20-years and Out, effective September 5, 2000.

Vote: 4 – Aye; Mr. Charest absent.

B. Pertained to Police Retirement Board:

C. Employees' and Police Retirement Boards:

None.

V. CONSENT AGENDA:

A. Employees' Retirement Board:

Action: It was moved by Mr. Powers, seconded by Mr. Testa, to approve the Consent Agenda (A), in its entirety, as follows:

- 1. Authorize payment of invoice from Sugarman & Susskind, dated July 28, 2000, in amount of \$750.00 for retainer fee for month of August 2000.**
- 2. Authorize payment of invoice from Davis Hamilton Jackson & Associates, dated July 28, 2000, in amount of \$39,529.90 for Investment Manager services for period ending June 30, 2000.**
- 3. Authorize payment of invoice from SunTrust Corporate Employee Benefits Division, dated August 9, 2000, in amount of \$39,464.00 for Investment Manager services for period ending June 30, 2000.**

Vote: 4/0 – Aye; Mr. Charest absent.

B. Pertained to Police Retirement Board.

C. Employees' and Police Retirement Boards:

Action: It was moved by Mr. Powers, seconded by Mr. Lepa, to approve Consent Agenda (C), in its entirety, as follows:

- 1. Ratify refunds of pension contributions as reported by Finance Department, as follows:**

Checks Disbursed 6/29/00:

Jose E. Cabrera, Fire Department, 6Y/7M/29D, \$14,169.74, separated from service 6/23/00.

Erin E. Thatcher, Pool & Beach, 11M/11D, \$1,367.03, separated from service 5/30/00.

George Surduncan, Data Processing, 10D, \$102.96, separated from service 6/2/00.

Anne E. Davis, Customer Service, 4Y/11M, \$5,534.60, separated from service 5/26/00.

Checks Disbursed 7/13/00:

Kimberly J. Whitaker, Meter Shop, 13Y/10M/24D, \$18,170.95, separated from service 6/28/00.

Linda A. Naico, Building, Planning & Zoning, 11Y/4M/10D, \$18,464.76, separated from service 7/5/00.

Walter P. Coady, Parks Department, 2M/6D, \$212.56, separated from service 6/30/00.

Checks Disbursed 7/27/00:

Justin R. Cox, Parks Department, 6M/28D, \$652.17, separated from service 7/11/00.

J. T. Wilkins, Waste Removal, 2M/4D, \$251.56, separated from service 7/5/00.

Checks Disbursed 8/11/00:

Sheryl L. Burdick, Streets Department, 6Y/10M/28D, \$7,767.63, separated from service 6/16/00.

Vote: 4/0 – Aye; Mr. Charest absent.

Mr. Harrison summarized new legislation at the state level that would impact local pension plans.

Chapter 2000-312 Laws of Florida (HB 2433) – Technical Amendments to Chapters 175 and 185, F.S.

This new law removed the requirement that insurers subject to the Chapter 175 & 185 premium taxes file an annual premium receipt report with the Division of Retirement. They were still required to file an annual report with Department of Revenue, which would share reports with the Department of Management Services and the Division of Retirement.

The Division of Retirement was directed to adjust each municipality's 1997 base year revenue based on amended returns filed by insurance companies by February 28, 2001. The Police plan's base year funding might not be finalized until after this date. The Division of Retirement was attempting to determine the intent of this language.

Suggested Action: None at this time, but look for adjustments to the 1997 base year, which was the basis for extra benefit calculations.

Chapter 2000-264 Laws of Florida (SB) 372) – Investment Procedures.

This law amended specific sections of Chapter 112, Florida Statutes, by making numerous modifications to procedures for investment of public funds.

All local government retirement plans would have to comply with these changes, which were to take effect October 1, 2000. Local Fire and Police pension plans already had to meet most of these requirements under Chapters 175 & 185 F.S. and many General Employee pension plans had voluntarily established most of these requirements; however, those that had not must comply by October 1, 2000. Also, attention should be given to the reporting requirements, which must be complied by all local government retirement plans.

There were specific amendments to subsection 112, which were outlined in the 2000 Legislative Update on file in the City Clerk's Office.

Suggested Action: Review the plan's investment guidelines to ensure they conformed to the new law and file them with state by October 1, 2000.

Chapter 2000-243 Laws of Florida (HB 181) – Financial Disclosure.

This bill amended the Florida Code of Ethics. The Code of Ethics now covered former trustees, trustees and elected trustees who had not yet taken office. Fines (\$25 per day) were included for late filing and not filing of financial disclosure forms, up to a maximum of \$1,500; transferred administration of financial disclosure filing system from Secretary of State to Ethics Commission; specifically identified pension board trustees as coming under Code of Ethics.

Suggested Action: Trustees elected or appointed but not yet seated must file disclosure; trustees leaving board must file final report within sixty (60) days.

Amendments to State of Florida Retirement System (FRS) were also passed.

Chapter 2000-169 Laws of Florida (HB 2393) – Defined Contribution Option.

Created an OPTIONAL Defined Contribution Retirement (DCR) Program that participants may elect to join in lieu of Defined Benefit Retirement (DBR) Plan now available. This was optional for all participants of FRS and would freeze current benefits if participant who was vested in DVR plan chose to opt into the DCR program.

The vesting period in FRS was reduced from ten (10) years to six (6) years. This benefit change was to take effect July 1, 2001 and required that participant be "employed in a regularly established position" on that date. If not so employed on that date, participant must be "employed in a covered position for at least one work year after July 1, 2001."

Additionally, service credit for certain years for special risk participants was upgraded, this restored the three percent (3%) benefit for all creditable years of service between September 30, 1978 and January 1, 1993 for any special risk participant who retired after July 1, 2000.

Also effective July 1, 2000, service time required to qualify for non-service related disability benefits was reduced from ten (10) to eight (8) years, service related disability benefits were available regardless of service time.

Further, an annual actuarial report, rather than a biennial one, was required which was to include and define a rate stabilization mechanism; also, a report on effects of the six (6) year vesting on the disability benefit and health insurance subsidy was required.

Finally, probation and parole officers and deputy circuit administrators, including certain members who were employed by the Department of Corrections or Department of Children and Family Services, were included in the special risk class, and criteria for inclusion of community-based correctional probation officers was specified.

Suggested Action: None for local law or chapter plans.

VI. ADJOURNMENT:

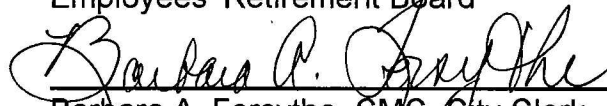
A. Employees' Retirement Board:

The meeting adjourned at 2:24 PM by unanimous vote of those members present, on a motion by Mr. Powers, seconded by Mr. Lepa.

MINUTES APPROVED: 6/6/01



Mayor Rodney G. Romano, Chair
Employees' Retirement Board



Barbara A. Forsythe, CMC, City Clerk
Secretary, Employees' Retirement Board