

City of Palm Beach Gardens

Police Officers' Pension Fund

Summary Plan Description

JUNE 2024

Introduction

As a participant in the Palm Beach Gardens Police Officers' Pension Fund (the "Plan"), you are included in a program of benefits to help you meet your financial needs in retirement, or in the event of disability or death. The purpose of this booklet is to give you a brief description of benefits available to you under your pension plan.

Planning for retirement begins now. This booklet can be a valuable tool in preparing for your retirement and financial future. If you need any further information on any of the topics presented in this booklet, please contact the Plan Administrator, Resource Centers, LLC, or the Board of Trustees. They will answer any questions to help you better understand your benefits.

The information presented is a summary of the pension plan as provided in the City of Palm Beach Gardens Code of Ordinances which governs your Pension Fund. The legal citation for your Plan is Chapter 50, Article III, Section 50-61 et seq., as amended through Ordinance No. 2, 2021, dated February 4, 2021. City of Palm Beach Gardens Code. Any discrepancies between information in this booklet and the Plan will be governed by the Plan. A copy of the Plan can be obtained from the Plan Administrator, Resource Centers, LLC. Their address is:

Resource Centers, LLC
4360 Northlake Boulevard, Suite 206
Palm Beach Gardens, FL 33410

(561) 624-3277 - Telephone
(561) 624-3278 - Facsimile

www.resourcecenters.com

Board of Trustees
Palm Beach Gardens Police Officers' Pension Fund

Jay Spencer, Chairman
Brad Seidensticker, Secretary
Gregory Mull, Trustee
Marc Glass, Trustee
Sean O'Brien, Trustee

TABLE OF CONTENTS

DEFINITIONS	Page 2
PARTICIPATION IN THE PENSION FUND	Page 3
ELIGIBILITY FOR NORMAL RETIREMENT	Page 3
AMOUNT OF A NORMAL RETIREMENT PENSION	Page 3
EARLY RETIREMENT PENSION	Page 4
MONTHLY SUPPLEMENTAL BENEFITS	Page 5
FORMS OF PAYMENT OF A PENSION	Page 5
Normal Form	Page 5
Optional Forms of Payment	Page 5
SURVIVOR BENEFITS - DEATH BEFORE RETIREMENT	Page 7
Duty Related Deaths	Page 7
Non-Duty Related Deaths	Page 7
DISABILITY RETIREMENT	Page 7
Duty Disability Retirement	Page 8
Non-Duty Disability Retirement	Page 8
ENDING EMPLOYMENT BEFORE RETIREMENT	Page 9
ANNUAL PENSION ADJUSTMENTS (non-guaranteed)	Page 9
FILING FOR RETIREMENT	Page 10
SHARE PLAN	Page 10
DEFERRED RETIREMENT OPTION PLAN (DROP)	Page 12
TRUSTEE TO TRUSTEE TRANSFER	Page 13
COST OF THE PENSION FUND	Page 13
ADMINISTRATION OF THE PENSION FUND	Page 13
INVESTMENTS	Page 13
FEDERAL INCOME TAX CONSEQUENCES	Page 13
DIVORCE OR DISSOLUTION OF MARRIAGE	Page 14
ACTUARIAL SOUNDNESS	Page 14

FORFEITURE OF PENSION	Page 14
REVIEW PROCEDURE.....	Page 15
AGENT FOR SERVICE OF LEGAL PROCESS	Page 16
PLAN YEAR.	Page 16
RELEVANT PROVISIONS OF COLLECTIVE BARGAINING AGREEMENT	Page 16
ACTUARIAL INFORMATION	Page 17

DEFINITIONS

Accumulated contributions - the total of all amounts contributed by a participant to the Palm Beach Gardens Officer's Police Pension Fund.

Average Monthly Earnings - the monthly average of salary during the last 5 years of employment.

Beneficiary - an individual who is receiving a survivor benefit from the Plan following the death of a participant.

Board - the Board of Trustees which administers, manages and operates the Plan.

Credited service - A participant's years of service as a police officer in Palm Beach Gardens Police Department and includes those years which a participant has purchased by making a contribution to the Plan. Years of service can be purchased for years or fractional parts of years that a police officer served in the United States Military service, or service with another municipal, county, state, or federal law enforcement agency. Participants may also be entitled to credited service for military service which interrupts employment.

Participant - a Palm Beach Gardens police officer participating in the Plan.

Salary - Average monthly earnings as reported to Internal Revenue Service for income tax purposes, plus deferred compensation. Additionally, salary includes amounts paid by the City as differential wages while the participant is absent from employment while in qualified military service.

Effective September 13, 2012, salary means base pay, excluding all other compensation. The salary of any participant employed on September 13, 2012, shall include payment for unused accrued sick and annual leave up to the dollar amount of unused sick and annual leave that the participant has accrued as of September 13, 2012. The salary at retirement of any participant who is employed on September 13, 2012, shall not be less than the participant's salary on September 12, 2012, as determined in accordance with the definition of salary in effect on September 12, 2012.

PARTICIPATION IN THE PENSION FUND

Each police officer employed in the City of Palm Beach Gardens Police Department is a Plan participant. A police officer is a full-time employee who is certified as a law enforcement officer as a condition of employment in accordance with the provisions of §943.10, Florida Statutes. The Police Chief may elect not to participate in the Plan.

ELIGIBILITY FOR NORMAL RETIREMENT

A police officer who either has 20 or more years of credited service or is age 52 or older and has 10 or more years of credited service is eligible for normal retirement. An application for normal retirement must be filed with the Plan Administrator and approved by the Board of Trustees. Effective September 13, 2012, for police officers with less than 10 years of creditable service and police officers hired on or after that date, normal retirement for police officers who retire on or before September 30, 2019, will be age 55 with 10 or more years of credited service or 25 years of creditable service regardless of age.

AMOUNT OF A NORMAL RETIREMENT PENSION

The amount of a normal retirement pension is based on a participant's credited service, average monthly earnings and pension multiplier.

Average monthly earnings is the monthly average of salary during the last 5 years of employment producing the highest average. Salary includes base salary, overtime, longevity pay and may include other types of pay.

Credited service is generally a participant's period of employment as a police officer in the Police Department of the City of Palm Beach Gardens, measured in years and completed months of a year. Special conditions apply if a participant has a break in service as a police officer. In certain circumstances, limited periods of military service and police service with another Florida municipality may be recognized as credited service. Promptly contact the Plan Administrator if any of these situations apply and you have not already resolved the question.

The pension multiplier is 3.5% for all years of credited service up to September 13, 2012, plus 2.75% for all years of credited service after that date and before October 1, 2019. The pension multiplier is 3% for all years of creditable service earned on and after October 1, 2019. The benefit shall be limited to a maximum of 75% of the average monthly earnings. Participants who are eligible for normal retirement age on September 13, 2012, will be entitled to a 3.5% multiplier and will not be subject to the 75% cap.

Sample Benefit Calculation

The following example illustrates how average monthly earnings are calculated. This is an example for planning purposes only and does not indicate the actual benefit for any participant.

<u>Year Before Retirement</u>	<u>Sample Salary for Year</u>
5th	25,000
4th	26,000
3rd	27,000
2nd	28,000
1st	29,000

To calculate final average salary, total the last 5 years salary and divide by 60:

$$\frac{\$25,000 + \$26,000 + \$27,000 + \$28,000 + \$29,000}{60} = \$2,250$$

The monthly normal retirement pension is calculated as follows:

3.5% of average monthly earnings per year of credited service, up to September 13, 2012, and 2.75% of average monthly earnings per year of credited service after September 13, 2012, and before October 1, 2019. For all years of credited service earned on and after October 1, 2019, the multiplier will be 3%.

For all police officers employed but not eligible for normal retirement as of September 13, 2012, the monthly benefit amount is capped at 75%.

EARLY RETIREMENT PENSION

A police officer who is age 50 and has 10 years of service is eligible for early retirement. The early retirement benefits that are payable to a police officer are determined in the same manner as the normal retirement benefit but are reduced by 3% for each year by which the participant's age at retirement preceded the participant's normal retirement age to take into account the police officer's younger age and the earlier commencement of retirement income payments.

MONTHLY SUPPLEMENTAL BENEFITS

Beginning October 1, 2004, all retirees in payment status are entitled to a monthly supplemental pension benefit equal to \$12.50 per year of service. This benefit is payable monthly for the life of the retiree. This benefit is payable to a surviving beneficiary of a retiree on a monthly basis for the period of time that the surviving beneficiary is in receipt of a pension in accordance with the form of benefit chosen at the time that benefits begin.

FORMS OF PAYMENT OF A PENSION

Normal Form

The standard form of payment for the pension described above is a benefit payable for 10 years certain, in other words, you are guaranteed 120 monthly payments. The retiree will receive a benefit for life. However, if the retiree dies prior to receiving 120 payments, then pension payments will continue until a total of 120 payments have been made.

A participant may designate a beneficiary to receive the benefit payable, if any, upon the death of the retired participant. A retired participant may also change the designated joint pensioner or survivor up to 2 times after retirement with certain restrictions. Please see the Plan Administrator for details. This change may affect the amount of the benefit.

When there is no beneficiary named, the benefit will be paid to the spouse, dependent children, or dependent living parents of the police officer, or if there is no such survivor, then to the deceased police officer's estate.

**IT IS IMPORTANT TO KEEP YOUR BENEFICIARY
DESIGNATION UP TO DATE**

Optional Forms of Payment

Optional forms of payment are available in lieu of the normal form described above. The amount of pension under each optional form has the same actuarial value as the normal form of payment. The normal form of payment is a lifetime benefit payable to the retiree, with 120 payments guaranteed (in the event that the retiree dies after receiving only 100 payments, the remaining 20 payments will be paid to the named beneficiary or to the estate of the retiree).

- **Option I - Joint and 100% Survivor** - The joint and 100% survivor form of payment pays the retired participant a reduced monthly pension for life. Upon the retired participant's death, the beneficiary (a spouse or relative) designated when the form of payment was elected will be paid 100% of the reduced monthly pension for life.
- **Option II - Joint and 75% Survivor** - The joint and 75% survivor form of payment pays the retired participant a reduced monthly pension while the retired participant is alive. The reduction is not as great as under Option I. Upon the retired participant's death, the beneficiary (a spouse or relative) will be paid 75% of the reduced monthly pension for life.
- **Option III - Joint and 66-2/3% Survivor** - The joint and 66-2/3% survivor form of payment pays the retired participant a reduced monthly pension while the retired participant is alive. The reduction is not as great as under Option II. Upon the retired participant's death the beneficiary (a spouse or relative) will be paid 66-2/3% of the reduced monthly pension for life.
- **Option IV - Joint and 50% Survivor** - The joint and 50% survivor form of payment pays the retired participant a reduced monthly pension while the retired participant is alive. The reduction is not as great as under Option III. Upon the retired participant's death, the beneficiary (a spouse or relative) will be paid 50% of the reduced monthly pension for life.
- **Option V - Life Annuity** - The straight life form of payment pays the retired participant an increased monthly pension for life. The amount of this benefit is more than the normal form and other optional forms. No monthly pension is ever paid a spouse, child, dependent parent or other beneficiary under this form of payment.
- **Option VI - Other** - In lieu of the other optional forms, benefits may be paid in any form approved by the Board so long as it is the actuarial equivalent of the benefits otherwise payable.

The Plan Administrator can give you an estimate of the amount of your pension under any of the optional forms of payment. A request for an optional form of payment must be submitted in writing to the Board before the effective date of retirement. An optional form of payment cannot be changed after the first pension check is cashed. The election of Options I, II, III and IV shall be null and void if the designated beneficiary dies before the participant's payments commence.

SURVIVOR BENEFITS - DEATH BEFORE RETIREMENT

Duty Related Deaths

The surviving spouse, or in certain circumstances surviving children, of a participant who dies while employed in the Police Department as a police officer will be paid a duty death pension if the Board finds the death to be the result of causes arising out of and in the course of the participant's performance of duty as a police officer.

A surviving spouse is paid a monthly pension, for life, of 50% of the participant's average monthly earnings.

An unmarried child under the age of 18, or age 24 if a full time student, is paid a monthly pension in the amount of an equal share of 50% of the participant's average monthly earnings if a surviving spouse is not being paid a pension. Payment terminates upon the earlier of adoption, marriage, attainment of age 18 (age 24, if a full time student, or loss of full time student status) or death.

The death benefit is paid to the estate if the participant leaves neither a surviving spouse nor an eligible surviving child. In any of these cases, the board may, in its sole discretion, direct that the actuarial value of the monthly payment be paid as a lump sum.

Non-Duty Related Deaths

If a participant who has 5 or more years of credited service dies while employed in the Police Department as a police officer and the death is not in the line of duty, the beneficiary is paid a pension equal to the benefits otherwise payable at early or normal retirement age.

If no pension is paid or will become payable on account of the death of a participant, the participant's accumulated contributions are paid to the participant's designated beneficiary or to the participant's estate if there is no designated beneficiary.

DISABILITY RETIREMENT

A pension may be payable to a participant who becomes disabled while employed in the police department as a police officer. Eligibility and the amount of the pension are dependent on whether or not the disability occurred in the line of duty.

The disability must arise from a mental or physical illness, disease or injury which totally and permanently prevents the participant from performing useful and efficient service as a police officer in the Palm Beach Gardens Police Department. No police officer shall be permitted to retire under a disability retirement until examined by a duly qualified physician or surgeon to be selected by the Board of Trustees and the physician or surgeon finds the participant to be disabled from performing the functions of a police officer. The final determination of disability is made by the Board.

If disability results from excessive and habitual use of drugs, intoxicants or narcotics, willful and illegal participation in fights, riots or civil insurrection, or while committing a crime, or injury or disease sustained while serving in an armed force, no disability pension can be awarded. This exclusion does not affect participants who have become disabled as a result of intervening military service under the federal Heroes Earnings Assistance and Relief Tax Act of 2008 (H.R. 6081; P.L. 100-245).

A participant who is retired for disability may be required to undergo periodic medical examination under the direction of the Board of Trustees to determine if the retired participant is capable of performing the duties of a police officer in the Department.

Duty Disability Retirement

If the Board finds the disability to have arisen out of and in the course of the participant's performance of duty as a Palm Beach Gardens police officer, the amount of pension is equal to 60% of the participant's rate of pay at the time of disability or the accrued pension benefit, whichever is greater provided the disability has continued for a period of six months.

Non-Duty Disability Retirement

There is a 10 year credited service requirement for disability retirement if the disability is not the result of performing duty as a Palm Beach Gardens police officer. Additionally, there is no non-line of duty disability for a participant who has reached or passed normal retirement eligibility.

The amount of pension is calculated the same as a normal retirement pension based on average monthly earnings and credited service at the time of disability. The minimum pension is 25% of average monthly earnings or the accrued pension benefit, whichever is greater.

There is no non-duty disability pension if a police officer's credited service is less than 10 years. In that event, accumulated contributions are refunded.

ENDING EMPLOYMENT BEFORE RETIREMENT

If a participant with less than 10 years of credited service quits or is fired from employment as a Palm Beach Gardens police officer, the participant shall be entitled to a retirement benefit subject to the vested percentages below:

<u>Years of credited Service</u>	<u>Vested %</u>
Under 5	0%
5	25
6	40
7	55
8	70
9	85
10 or more	100

A participant may elect to receive the return of all contributions in lieu of all other benefits under the Plan.

If a participant has at least 10 years of credited service when employment as a police officer terminates, the right to a deferred normal retirement is retained so long as accumulated contributions are left on deposit in the Plan.

The amount of deferred normal retirement pension is calculated using average monthly earnings and credited service at the time of termination of employment as a police officer. Normal retirement and payment of a pension is available upon application on or after age 52. The amount of pension may be subject to early retirement reduction in accordance with the chart on page 4.

Credited service will be reinstated if re-employment as a Palm Beach Gardens police officer occurs and any withdrawn accumulated contributions are repaid within 5 years of re-employment. The repayment must include interest from the date of withdrawal to the date of repayment. The election to purchase such time must be made within six months of date of hire. Additionally, service time with the military, another federal, state, county or municipal police department may be purchased.

ANNUAL PENSION ADJUSTMENTS (non-guaranteed)

Retired participants (including DROP participants) and beneficiaries who have been in receipt of a pension benefit for at least one year on the distribution date may receive an adjustment to their pension benefit amount as of July 1st of each year if the Plan assets have earned more than 8.5% as of September 30th and the pension fund has positive actuarial experience.

The potential total distribution is based upon an actuarial formula which is contained in the Plan document. Essentially, the retirees and beneficiaries share in the positive investment experience of the retiree portion of the Plan over 8.5%.

All pension recipients monthly pension benefits will be increased on a percentage basis and the percentage will be the same for all pension recipients. The percentage increase will be determined by the actuary and will equal the earnings above 8.5% on the assets reserved to pay pension recipients. The distribution is limited to a 4% increase in any one year. A retiree must be in receipt of a pension for at least one year on July 1 to be entitled to an adjustment.

Conversely, if the Plan does not earn more than 8.5%, there will be no pension adjustment.

For police officers who are employed and have not reached the normal retirement date prior to September 13, 2012, there shall be no cost of living adjustment applied to benefits earned based on creditable service on and after that date; and for police officers hired on or after September 13, 2012, there shall be no cost of living adjustment.

FILING FOR RETIREMENT

In order to ensure that you receive your pension on time, you should file your application with the Plan Administrator at least 30 days before retirement. All forms can be obtained from the Plan Administrator at the address on the Introduction page. Penalties will be imposed for making a false or misleading statement to obtain a pension benefit. It can take up to 60 days after your date of retirement to receive your first pension check.

If an error in retirement benefits is discovered and result in any member or beneficiary receiving from the retirement plan more or less than they would have been entitled to receive had the records been correct, the board shall have the power to correct such error and, as far as possible, adjust the payments in such a manner that the actuarial equivalent of a benefit to which such member or beneficiary was correctly entitled to shall be paid .

SHARE PLAN

A Share Plan has been created. The Share Plan is solely funded by Chapter 185 premium tax revenues; this benefit is in addition to all other benefits provided by the Plan.

Eligible participants include all participants with at least 1 year of credited service who are contributing to and participating in the Plan on or after November 1, 2017, and police officers who retire on or after November 1, 2017. Participants who retired before November 1, 2017, participants who are participating in the DROP on that date, former participants who left city employment before November 1, 2017, and beneficiaries of any participant are not eligible to participate in the Share Plan.

As of September 30 each year, the share account balance of each actively employed participant shall be credited with interest at a rate of 6.5% per annum. Share Plan payments to retired participants shall not be credited with interest.

Initial Allocation

One-half of the accumulated excess Chapter 185 insurance premium tax revenues (\$154,256) on October 1, 2016, will be allocated to the share plan as soon as administratively possible.

Annual Allocation

After October 1st of each year, an annual allocation of one-half of the Chapter 185 premium tax revenues received during the preceding plan year in excess of \$475,215 will be made to the share account.

Forfeiture of Share Account

Eligible participants who terminate city employment with less than 5 years of credited service, other than for disability or death, will forfeit their individual participant share account.

Eligible participants who terminate city employment with more than 5 years of credited service but less than 10 years of credited service, other than for disability or death, will forfeit the non-vested portion of their individual participant share account.

Share accounts are also subject to forfeiture under Florida Statute 112.3173. Forfeited amounts will be redistributed to the other individual participant accounts, except as otherwise required by law.

Payment of Benefits

A member who terminates employment and is eligible to receive retirement benefits under this Plan will be paid his or her share account balance within 90 days of termination of employment.

Distribution of Share Account in the Event of Disability or Death

In the event an eligible participant terminates City employment due to disability or death, the participant or the participant's designated beneficiary will receive the participant's share account balance as of the date of disability or death.

DEFERRED RETIREMENT OPTION PLAN (DROP)

A participant may elect DROP participation prior to completing 25 years of credited service if the participant is eligible for normal retirement. Effective July 1, 2016, a participant who is eligible to enter into the DROP may delay entry into the DROP until the time the participant has accrued the maximum benefit percentage of 75%. Participants who delay their election to participate in the DROP will forfeit DROP participation if they do not elect to participate within 30 days of attaining the 75% maximum benefit.

DROP participation ends at the first to occur of:

- 1) termination of employment,
- 2) 30 years of credited service, or
- 3) 5 years of participation.

However, effective July 1, 2016, a participant who delays the election to participate in the DROP until attaining the 75% maximum benefit may participate for the full 5 years even if that time takes participation beyond 30 years of credited service.

Upon the effective date of DROP participation a participant's pension amount is calculated based on credited service and final average salary at that time and the amount remains permanently frozen. The participant's DROP account is credited with monthly amounts equal to the frozen pension during the period of DROP participation. DROP accounts are credited with investment earnings during the DROP period. Participants may choose between the rate of return on the pension fund or a fixed rate of 6.5% as the investment earnings credit. No investment earnings or monthly credits are made after the end of the DROP period, if the participant remains employed.

Participant DROP accounts are subject to administrative charges.

A participant may elect payment of the DROP account at any time following termination of employment but not later than age 73, unless the member reached age 70 ½, before January 1, 2020, or age 72, before January 1, 2023. Payment is available under several options. Detailed information is available from the Plan Administrator.

TRUSTEE TO TRUSTEE TRANSFER

To minimize the tax consequences of rolling DROP accounts over to an IRA or another qualified plan, direct trustee-to-trustee transfers are available. Please see the Plan Administrator for the appropriate forms.

COST OF THE PENSION FUND

Participants are required to contribute 8.60% of covered salary. Contributions are deducted from each paycheck and credited to the participant's Plan account.

The City of Palm Beach Gardens also contributes to the Plan. The amount of City contribution is mathematically determined in accordance with State statutes to finance Plan benefits as they are earned.

ADMINISTRATION OF THE PENSION FUND

The Plan is administered by a Board of Trustees which is responsible for overseeing the investment of Plan assets and application of the provisions of the Plan document contained in the Palm Beach Gardens Code. The Board has authority over distribution of all pensions and makes final decisions on claims and appeals. Five trustees comprise the Board: two legal residents of the City appointed by the City Commission, two full-time police officers elected by Plan participants and a trustee chosen by the majority of the other four trustees.

Plan assets are maintained and invested entirely separate from City assets and cannot be used for any purpose other than those specified in the Plan.

INVESTMENTS

The assets of the Plan are presently invested by various professional investment managers selected by the Board in accordance with its investment guidelines adopted by the Board of Trustees in consultation with their investment advisors.

FEDERAL INCOME TAX CONSEQUENCES

The Plan is intended to qualify under Section 401 of the Internal Revenue Code as a qualified pension plan. It is important that you consult qualified experts to determine whether or not you must pay taxes on the pension benefits you receive.

DIVORCE OR DISSOLUTION OF MARRIAGE

The Palm Beach Gardens Police Officers' Pension Fund is a governmental plan, and therefore, is not subject to Qualified Domestic Relations Orders ("QDROs") under federal law, or court orders to effectuate an equitable distribution of marital assets.

The Plan is subject to Section 61.1301, Florida Statutes, entitled Income Deduction Orders ("IDOs"). Section 61.1301 is limited to the collection of alimony and child support. Therefore, if the Pension Fund receives an IDO for alimony or child support the Plan will comply with the Order. Additionally, pension benefits may be distributed by using an "Order Distributing Marital Interest in a Public Retirement Plan." A copy of this order may be obtained from the Office of the Plan Administrator.

Effective January 1, 2019, changes in the federal tax laws have eliminated tax deductions for alimony if a marriage was dissolved or a property settlement agreement was made on or after January 1, 2019. Modifications to existing orders or agreements on or after January 1, 2019, may be tax deductible if both parties agree.

ACTUARIAL SOUNDNESS

The actuary for the Plan has determined that the Plan is actuarially sound and can adequately fund the benefits based upon projected contributions to the Plan and investment earnings.

FORFEITURE OF PENSION

Any participant who is convicted of any of the below offenses committed prior to retirement or whose office or employment is terminated by reason of his or her admitted commission of the below offenses shall forfeit all rights and benefits under this Plan, except for a refund of accumulated contributions. The specified offenses are:

- (1) Committing, aiding or abetting of an embezzlement of public funds;
- (2) Committing, aiding or abetting of any theft by a public officer or employee from employer;
- (3) Bribery in connection with the employment of a public officer or employee;
- (4) Any felony specified in Chapter 838, Florida Statutes;

- (5) The committing of impeachable offense
- (6) The committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position.
- (7) The committing on or after October 1, 2008, of any felony defined in §800.04, Florida Statutes, against a victim younger than 16 years of age, or any felony defined in Chapter 794, Florida Statutes against a victim younger than 18 years of age, by a public officer or employee through the use or attempted use of power, rights, privileges, duties, or position of his or her public office or employment position.

Any participant who has received benefits from the Plan in excess of his accumulated contributions shall be required to repay the Plan. The Board may implement legal action necessary to recover such funds.

Additionally, a participant who makes a false or misleading statement to obtain retirement benefits shall commit a misdemeanor of the first degree and if convicted, the participant shall forfeit his/her benefit.

REVIEW PROCEDURE

Any participant, former participant, or beneficiary who has been denied a benefit by a decision of the Board shall be entitled to request in writing that the Board give further consideration to the claim. This request, together with a written statement of the reasons why the applicant believes his claim should be allowed, shall be filed with the Board no later than 20 days after receipt of the written notification of the denial. If no appeal is filed within this time period, the proposed order shall be final.

The Board shall then conduct a hearing within 45 days of the receipt of the appeal. Written notice of the hearing will be sent by certified mail to the applicant 10 days prior to the hearing. The applicant may be represented at the hearing by an attorney or other representative of his/her choosing. During the hearing the applicant shall have the opportunity to submit written and oral evidence and arguments in support of his/her claim. The applicant shall also have the

opportunity to review the Board's file at or prior to the hearing. Either the applicant of the Board may request that a court reporter record the proceedings. In this event a complete written transcript of the proceedings shall be furnished to both parties at the expense of the party requesting the attendance of the court reporter.

Within 20 days after rendering its order, the Board will send by a method providing proof of delivery, a copy of the order to the applicant.

AGENT FOR SERVICE OF LEGAL PROCESS

Board of Trustees
% Resource Centers, LLC
4360 Northlake Boulevard
Suite 206
Palm Beach Gardens, Florida 33410

PLAN YEAR

The Plan year is the twelve month period beginning each October 1. Records are kept on a fiscal year basis.

RELEVANT PROVISIONS OF COLLECTIVE BARGAINING AGREEMENT

Certain participants covered by the Plan are participants of the Palm Beach County Police Benevolent Association Bargaining Unit. The current Collective Bargaining Agreement between the City and the Union expires on September 30, 2025. Appendix A to the Collective Bargaining Agreement addresses Retirement.

PERTINENT ACTUARIAL INFORMATION		
	As of October 1 st	
	2023	2022
Number of Members of the Plan		
Active Employees	111	113
Those Receiving or Due to Receive Benefits	102	94
Annual Payroll of Active Members	\$ 10,332,904	\$ 10,121,116
Annual Rate of Benefits in Pay Status	6,297,995	6,011,796
Actuarial Accrued Liability	121,657,327	117,534,765
Actuarial Value of Assets	103,481,211	97,636,446
Unfunded Accrued Liability (Credit)	18,176,116	19,898,319
Required Contribution to be Made to the Plan Over and Above Contributions by Members of the Plan	5,667,804	5,871,513
Required Contribution as % of Payroll of Active Members	52.24%	55.25%
Required Contribution to be Paid During Year Ending	9/30/2025	9/30/2024

Reconciliation of Plan Assets

Item	September 30	
	2023	2022
A. Market Value of Assets at Beginning of Year	\$ 111,825,514	\$ 127,508,035
B. Revenues and Expenditures		
1. Contributions		
a. Member Contributions	\$ 888,285	\$ 854,303
b. Employer Contributions	4,719,149	4,416,118
c. State Contributions	993,453	856,513
d. Total	\$ 6,600,887	\$ 6,126,934
2. Investment Income		
a. Interest, Dividends, and Other Income	\$ 1,415,510	\$ 1,228,696
b. Unrealized Gains/(Losses)	11,135,239	(14,510,374)
c. Realized Gains/(Losses)	(1,600,482)	(900,429)
d. Investment Expenses	(317,093)	(394,069)
e. Net Investment Income	\$ 10,633,174	\$ (14,576,176)
3. Benefits and Refunds		
a. Regular Monthly Benefits	\$ (5,679,168)	\$ (5,561,727)
b. Refunds	(118,312)	(31,153)
c. Lump Sum Benefits	-	-
d. DROP Distributions	(1,353,914)	(1,481,016)
e. Total	\$ (7,151,394)	\$ (7,073,896)
4. Administrative and Miscellaneous Expenses	\$ (159,161)	\$ (159,383)
5. Transfers	\$ -	\$ -
C. Market Value of Assets at End of Year	\$ 121,749,020	\$ 111,825,514
D. Reserves		
1. State Contribution Reserve	\$ -	\$ -
2. Share Plan Accounts	(1,575,355)	(1,289,320)
3. DROP Accounts	(17,084,135)	(16,949,710)
4. Total Reserves	\$ (18,659,490)	\$ (18,239,030)
E. Market Value Net of Reserves	\$ 103,089,530	\$ 93,586,484