

CITY PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS
IN THE CITY OF MIAMI BEACH

963RD BOARD OF TRUSTEES MEETING

June 20, 2024

*COPIES OF MINUTES ARE BEING
PROVIDED WITHOUT ATTACHMENTS.*

*ALL ATTACHMENTS ARE AVAILABLE
FOR REVIEW AT THE FIRE & POLICE
PENSION OFFICE.*

**963rd MEETING OF THE BOARD OF TRUSTEES
CITY PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS
IN THE CITY OF MIAMI BEACH**

June 20, 2024

CALL TO ORDER

Meeting was called to order at 8:42 AM by Chairman Johnson.

Board members physically present and by videoconference were as follows:

FIRE DEPARTMENT

David J. Frazier, Jr.
Paul D. Johnson

POLICE DEPARTMENT

Steven L. Feldman
James D. Nolan

ADMINISTRATION

Hernan D. Cardeno
Tameka Otto Stewart

Absent were:

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|--------------------|---------------------|
| Dwight M. Nicholas | - Fire Department |
| Daniel D. Molina | - Police Department |
| Eric T. Carpenter | - Administration |

Present were:

| | |
|-------------------------|---|
| Stuart A. Kaufman, Esq. | - Attorney, Klausner, Kaufman, Jensen & Levinson (KKJL) |
| Donna Brito | - Executive Director |
| Frank Estevez | - Assistant Director |
| Myriame Jean-Baptiste | - Pension Administrator |
| Clara La Rosa | - Office Manager |

Also present were:

| | |
|------------------|------------------------------------|
| Doug Borths | - Wolf Popper LLP |
| Guillaume Buell | - Labaton Keller Sucharow LLP |
| Michael P. Canty | - Labaton Keller Sucharow LLP |
| Sheri Coverman | - Robbins Geller Rudman & Dowd LLP |
| Robert Rothman | - Robbins Geller Rudman & Dowd LLP |
| Adam T. Savett | - Wolf Popper LLP |
| Laura Stein | - Robbins Geller Rudman & Dowd LLP |

MINUTES

Regular Meeting of the Board of Trustees – May 16, 2024

Minutes from the regular board meeting were distributed as part of the agenda packet. Trustee Nolan made a motion to approve the minutes. The motion was seconded by Secretary Feldman and unanimously carried.

COMMENCEMENT OF PENSION

Police Sergeant Arley Flaherty, who was retired under the DROP program, resigned from City employment effective May 5, 2024. She is eligible to commence her monthly pension in accordance with the Miami Beach Code, Section 66(a) and Section 79.

Police Officer Angel A. Piedra, who was retired under the DROP program, resigned from City employment effective May 31, 2024. He is eligible to commence his monthly pension in accordance with the Miami Beach Code, Section 66(a) and Section 79.

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Police Lieutenant Octavio Rabelo, who was retired under the DROP program, resigned from City employment effective May 31, 2024. He is eligible to commence his monthly pension in accordance with the Miami Beach Code, Section 66(a) and Section 79.

Firefighter Raul F. Sanchez, who was retired under the DROP program, resigned from City employment effective May 31, 2024. He is eligible to commence his monthly pension in accordance with the Miami Beach Code, Section 66(a) and Section 79.

Trustee Nolan made a motion to approve the commencement of pension for Sergeant Flaherty, Officer Piedra, Lieutenant Rabelo and Firefighter Sanchez. The motion was seconded by Secretary Feldman and unanimously carried. (Attachment #1-1 Schedule A)

DECEASED

Retired Police Division Major Donald L. Hasley passed away on May 15, 2024. His pension benefit has been discontinued as there are no beneficiaries under the Plan.

Retired Firefighter Donald R. Wodrich passed away on May 28, 2024. His pension benefit has been discontinued as there are no beneficiaries under the Plan.

Trustee Nolan made a motion to stop the monthly pension for Donald L. Hasley and Donald R. Wodrich. The motion was seconded by Secretary Feldman and unanimously carried. (Attachment #1-1 Schedule A)

FINANCIAL REPORT FOR JUNE 2024

The Financial Warrants were emailed to the Board for their review prior to the meeting.

Trustee Nolan made a motion to accept the Financial Warrants #5350 – 5357 as presented. The motion was seconded by Secretary Feldman and unanimously carried. (Attachment #1)

BUYBACKS COVERING THE PERIOD OF MAY 17, 2024, THROUGH JUNE 20, 2024

The following buybacks schedule included in the agenda packet was processed from May 17, 2024, through June 20, 2024:

- *Buybacks of probationary service time with interest at 3%*

Trustee Nolan made a motion to approve the buybacks shown on the schedule. The motion was seconded by Secretary Feldman and unanimously carried. (Attachment #2)

COUNSEL

Update on the outstanding issue regarding the purchase of pre-employment public safety service

Regarding Fire Division Chief Victor White, Attorney Kaufman advised that he was finally able to get in touch with Counsel for the Seminole Tribe and they have agreed to allow Chief White to return his employer contributions and any earnings attributable to those contributions. Once the Human Resources Department at the Seminole Tribe confirms the process has been completed, KKJL will make a recommendation to allow the member to convert the 6% multiplier buyback to pre-employment public safety service.

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Regarding Fire Captain Sergio Martinez, a retirement specialist from the National Parks Service verified that employer contributions were made but are not refundable, and Captain Martinez is not entitled to any benefit other than the return of his employee contributions. Captain Martinez has decided to request a distribution of his employee contributions plus interest and close his Federal Employees Retirement System (FERS) account. Attorney Kaufman stated that once FERS has confirmed closure of Captain Martinez's account, KKJL will make a recommendation to allow the member to convert the 6% multiplier buyback to pre-employment public safety service.

Securities Litigation Presentations

At the May 2024 meeting, the Board requested to meet with three securities litigation firms recommended by KKJL. The following companies presented to the Board:

Robbins Geller Rudman & Dowd LLP – Represented by Laura Stein, Counsel; Sheri Coverman, Partner; and Robert Rothman, Partner

Labaton Keller Sucharow LLP – Represented by Guillaume Buell, Partner; and Michael P. Canty, Partner & General Counsel

Wolf Popper LLP – Represented by Doug Borths, Director of Institutional Client Services & Marketing; and Adam T. Savett, Counsel

Upon conclusion of the presentations, Trustee Cardeno made a motion to retain all three firms and authorize the Chairman or the Director to sign the securities monitoring agreements once approved by KKJL. The motion was seconded by Secretary Feldman and unanimously carried.

ORDINANCE NO. 2024-4620 PASSED AND ADOPTED BY THE CITY COMMISSION ON MAY 15, 2024

A copy of Ordinance No. 2024-4620 was provided in the Agenda packet. In summary, the pension changes are: (Attachment #3)

Sec. 62. Definitions:

- To amend the definition of actuarial assumptions (for the calculation of optional forms of benefits) from 7.5% effective for plan years beginning on or after October 1, 2020, to 7.2% effective for plan years beginning on or after October 1, 2023.

Sec. 66. Service and Disability Benefits Generally:

- To include the conclusive firefighter cancer presumption established by Section 112.1816, Florida Statutes.

Sec. 84. Distribution Limitation:

- To provide for inclusion of the federal SECURE 2.0 Act of 2022.

DIRECTOR'S REPORT

Engagement letter from KSDT

The Director provided letter dated May 10, 2024, from KSDT, for engagement of their services for the Financial Statements year ending September 30, 2024. The letter has been reviewed by the Director and the Board's Attorney. The annual fee increased by 5% to \$28,955 plus travel and other out of pocket expenses if applicable (not to exceed \$125). Trustee Nolan commented that historically the Board has approved an annual audit engagement. This year, he would like to inquire about locking in a 3-year audit engagement for a lower annual rate increase of 3%.

Attorney Kaufman agreed to discuss this option with KSDT. Anticipating KSDT's agreement, Trustee Nolan made a motion to authorize the Chairman to sign a 3-year letter of engagement for an annual fee increase of 3%. The motion was seconded by Trustee Cardeno and unanimously carried. (Attachment #4)

Email dated May 31, 2024, from Dr. Antonio Rosado, regarding his resignation from the Fire and Police Pension Medical Board

Director Brito advised that Dr. Antonio Rosado has resigned from the medical board. This comes at a time when two disability applications are in progress. (Attachment #5)

Regarding Police Officer Christopher Marin, his disability file has been delivered to Dr. Lupu, Dr. Pujol and a neurology specialist assigned by KKJL.

Regarding Police Sergeant Michelle Sayegh, once her disability file has been finalized, it will be sent to Dr. Lupu, Dr. Pujol and Dr. Jose Rios, an internist appointed by Dr. Lupu.

During the process of searching for Dr. Rosado's replacement, Dr. Lupu advised that it has become very difficult to find doctors who want to be on the medical board. This prompted a discussion that perhaps the structure of the medical board may be outdated. Currently the medical board consists of internists but not necessarily specialists evaluating the member with regard to a specific injury or injuries.

Attorney Kaufman and the Director have discussed options regarding the composition of the medical board, and that the medical board does not necessarily have to be the same three doctors for every single case. Going forward they will make a recommendation for an updated medical board policy for the Board to approve.

Update on rebalancing the Fund's portfolio

Regarding a motion made at the May 16, 2024, board meeting to rebalance the Fund, Director Brito advised that all transfers totaling \$34,700,000 were successfully completed between May 22 – 24, 2024.

For the Board's information, the following items were distributed as either part of the agenda or meeting packet:

- A. Division of Retirement, 53rd Annual Police Officers' and Firefighters' Pension Trustees' Conference, November 13 – 15, 2024, Daytona Beach Shores, FL
- B. Administrative Budget
- C. Management Fees Fiscal Year vs. Budget

ADJOURNMENT

Trustee Cardeno made a motion to adjourn the meeting. The motion was seconded by Trustee Nolan and unanimously carried. The meeting was adjourned at 10:54 AM.



Paul D. Johnson, Chairman



Steven L. Feldman, Secretary