

POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM

**2335 EAST ATLANTIC BLVD.
SUITE 400
POMPANO BEACH, FLORIDA**

**BOARD OF TRUSTEES MINUTES
REGULAR MEETING
APRIL 19, 2021**

The Board of Trustees convened at the Pompano Beach Police and Firefighters' Pension Office, Pompano Beach, Florida. The Chairman called the meeting to order at 3:00 PM.

PRESENT: Chairman Paul O'Connell
Vice-Chairman Richard Samolewicz
Trustee Sharra Aaronian
Trustee Daniel Christophers
Trustee Vincent Femia
Trustee David Hall (Arrived at 3:09 PM)
Trustee Patrick Hanrahan
Trustee Peter McGinnis (Arrived at 3:04 PM)

ABSENT: Trustee Jorge Rossi

ALSO PRESENT: Robert Sugarman, Board Attorney
Debra Tocarchick, Executive Director
Maureen Femia, Deputy Director

VISITORS: John Tague, Retired Fire (via Zoom)
Cyril Espanol, Pageant Media (via Zoom)

AUDIENCE TO BE HEARD

None

APPROVAL OF AGENDA

MOTION: To approve the April 19, 2021 agenda as presented. PASSED 6-0.

O'Connell			X	
Samolewicz			X	
Aaronian			X	
Christophers			X	
Femia	X		X	
Hanrahan		X	X	

APPROVAL OF MINUTES

MOTION: To waive the reading of the minutes of the Regular Board Meeting on March 15, 2021, and to approve same as presented. PASSED 6-0.

O'Connell			X	
Samolewicz		X	X	
Aaronian			X	
Christophers	X		X	
Femia			X	
Hanrahan			X	

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Board of Trustees Minutes Page Two	April 19, 2021	TRUSTEES	M	S	Y	N	
<u>RATIFICATION AND APPROVAL OF WARRANTS</u>							
<p>MOTION: To ratify and approve payment of benefits and expenses as set forth on Warrant Nos. 5329, \$3,531.18; No. 5330, \$588,869.37; No. 5331, \$1,347.48; No. 5332, \$54,010.49; No. 5333, \$2,033.80; No. 5334, \$62,490.53. PASSED 6-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan	X	X	X X X X X X		
<u>SUGARMAN AND SUSSKIND, PA LEGAL REPORT</u>							
<p>Sugarman & Susskind reviewed the consent and assignment letters from Mellon Investment Corporation and Wells Capital regarding the change in ownership and name for both companies. Mr. Sugarman confirmed the letters are in proper legal form and Graystone opined they are comfortable with the changes. It is the choice of the Board to accept the changes or find other investment managers.</p>							
<p>MOTION: To consent to the transfer of the Mellon Investment Corporation investment advisory contract to Insight North America, LLC as requested in Mellon's letter dated April 9, 2021, and to authorize the Chairman to execute same as reviewed and recommended by Sugarman & Susskind and Graystone Consulting. PASSED 7-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis	X	X	X X X X X X X		
<p>MOTION: To consent to the deemed assignment of the Wells Capital Management Investment Management Agreement(s) as described in Well's letter dated April 12, 2021, and to authorize the Chairman to execute same as reviewed and recommended by Sugarman & Susskind and Graystone Consulting. PASSED 7-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis	X	X	X X X X X X X		
<p>Sugarman & Susskind reviewed and approved the E-Verify Enrollment Memorandum of Understanding.</p>							
<u>ADMINISTRATIVE AND MISCELLANEOUS ISSUES</u>							
<p>The Executive Director submitted a memorandum indicating that staff has received written verification and acknowledgment from all service providers indicating their compliance with the new E-Verify law. She requested the Board authorize her to enroll in the E-Verify system so she may update the Board's hiring protocols.</p>							
<p>MOTION: To authorize the Executive Director to enroll the Pompano Beach Police & Firefighters Retirement System on the E-Verify System and allow her to electronically sign the Memorandum of Understanding on behalf of the Chairman, as reviewed and recommended by Sugarman & Susskind. PASSED 7-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hanrahan McGinnis	X	X	X X X X X X X		

Board of Trustees Minutes Page Three	April 19, 2021	TRUSTEES	M	S	Y	N
<p>The Executive Director submitted a memorandum requesting to replace the computer firewall since the existing model will no longer be supported.</p>						
<p>MOTION: To approve the purchase and installation of the Sonicwall TZ470 firewall at a cost of \$1,499.95, which includes 2-year licensing, as recommended by Economic Computers. PASSED 8-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis	X		X X X X X X X	
<p>The Executive Director submitted the Deputy Director's annual performance review and recommended that she be moved to the next step of her salary scale.</p>				X		
<p>MOTION: To accept the Executive Director's review and salary recommendation for the Deputy Director effective May 6, 2021. PASSED 7-0 (Trustee Femia abstained and filed Form 8B).</p>		O'Connell Samolewicz Aaronian Christophers Hall Hanrahan McGinnis	X	X	X X X X X X X	
<p><u>COMMITTEE REPORTS</u></p>						
<p>No committee reports were rendered.</p>						
<p><u>EXECUTIVE DIRECTOR'S REPORT</u></p>						
<ul style="list-style-type: none"> ➤ The 2020 Annual Report was approved on April 1. ➤ ICMA-RC is rebranding and announced a name change to MissionSquare Retirement. 						
<p>The Executive Director informed the Board that a member inquired whether there is any interest in evaluating an electronic service he provides. The Board will address this item at the next regularly scheduled Board meeting.</p>						
<p><u>ADJOURNMENT</u></p>						
<p>MOTION: To adjourn the April 19, 2021 Board meeting at 3:13 PM. PASSED 8-0.</p>		O'Connell Samolewicz Aaronian Christophers Femia Hall Hanrahan McGinnis	X	X	X X X X X X X	

Respectfully submitted,



Debra Tocarchick, CEBS
Executive Director

DISTRIBUTION:

Board of Trustees
Robert A. Sugarman, Esq.
Pedro Herrera, 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 FEMIA VINCENT		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Police and Firefighters Retirement System	
MAILING ADDRESS 2335 E. Atlantic Blvd, Suite 400		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
CITY Pompano Beach	COUNTY Broward	NAME OF POLITICAL SUBDIVISION: City of Pompano Beach	
DATE ON WHICH VOTE OCCURRED 19 APRIL 2021		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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, Vincent Femia, hereby disclose that on April 19, 2021:

(a) A measure came or will come before 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 sibling organization or subsidiary of a principal which has retained me.

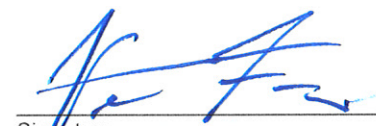
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Salary increase for deputy director M. Femia

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

19 April 2021

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.

REGULAR MEETING – APRIL 19, 2021

ITEM NO. 5 - WARRANT NOS. 5329 THROUGH 5334

Ratified and Approved on 4/19/2021

WARRANT NO.	PAYABLE TO	DESCRIPTION	AMOUNT
5329	Nancy R. Haverkamp	Survivor benefit commencing 3/1/2021 under 50% Joint & Survivor option to designated beneficiary of recipient Gerald Haverkamp who died 2/22/2021, retroactive 3/1/2021; \$1,765.59, monthly 4/1/2021; \$1,765.59, Total \$3,531.18	3,531.18
5330	Miguel Ruiz and PBPFRS Interactive Brokers/IRA Vantagepoint Transfer Agents/457 FBO Miguel Ruiz	Lump sum distribution from DROP account to pay off outstanding loan balance and trustee-to-trustee transfer of remaining balance of DROP account due to separation of service on 3/31/2021, distribution from DROP account; \$45,785.74, trustee-to-trustee transfer to Interactive Brokers/IRA; \$400,000.00, trustee-to-trustee transfer to Vantagepoint Transfer Agents/457; \$143,083.63, Total \$588,869.37	588,869.37
5331	Occupational Health Centers of SW, PA Francotyp-Postalia, Inc. Travelers Insurance Florida UC Fund	Inv No. 1154838400 and 1154849647, (2) pre-employment physicals; \$560.00 Inv No. RI104817930, Inkjet cartridge; \$135.33 Crime policy 4/20/2021 – 4/20/2022; \$485.00 Reemployment taxes quarter ended 3/31/2021; \$167.15	1,347.48
5332	Sawgrass Nuance Mellon	Inv Mgmt. fee quarter ended 3/31/2021; \$24,338.41 Inv Mgmt. fee quarter ended 3/31/2021; \$12,771.99 Inv Mgmt. fee quarter ended 3/31/2021; \$16,900.09	54,010.49
5333	Bank of America	Debra Tocarchick: Telephone & internet; \$574.69, FPPTA Virtual Trustees School; \$450.00, Coffee Maker; \$189.99, Board meeting supplies; \$127.90, Courier; \$38.47, Website domain renewal; \$4.99, Total \$1,386.04 Maureen Femia: FPPTA Virtual Trustees School; \$450.00, Board meeting supplies; \$85.40, Total \$535.40 Paul O'Connell: Business lunch; \$89.37, Publications; \$22.99, Total \$112.36	2,033.80
5334	Xerox Corporation Minuteman Press Sands Renaissance	Inv No. 012982782, March lease; \$150.59; excess print charges; \$64.55, Total \$215.14 Inv No.69560, 75 SPD Booklets; \$199.00 Inv Mgmt. fee quarter ended 3/31/2021; \$29,515.65 Inv Mgmt. fee quarter ended 3/31/2021; \$32,560.74	62,490.53