

City of Lauderhill Police Officers' Retirement Plan

Minutes

July 08, 2020

2:30 P.M.

Call to Order / Roll Call:

Mr. David Hennessy called the meeting of the City of Lauderhill Police Officers' Retirement Plan to order at 2:12 P.M. Due to Executive Order 20-69 Signed by RON DESANTIS, Governor of Florida on March 20, 2020, the Board of Trustees conducted the meeting remotely.

Public Discussion:

No comments or questions were received. Mr. Williams noted on the public meeting notice the following language was posted. "Any member of the public may submit questions or comments to be read during the public comment section of the meeting to info@lauderhillpolicepension.org by July 07, 2020".

Members Present:

Mr. Dave Hennessy – Chairman; Mr. Kennie Hobbs (left at 3:42 P.M.) and Mr. Brad Mitchell.

Absent:

Ms. Andrea Anderson and Mr. Sam Smith.

Others Present:

Mrs. Cassandra Harvey - Board Attorney; Mr. Don Dulaney (arrived 2:42 P.M.) & Ms. Corinne Paul – Dulaney & Company; Mr. Dave Williams – Plan Administrator and Mrs. Patty Ostrander – Administrative Assistant.

Consent Agenda: Warrant Ratification / Approval:

Approval of Minutes:

The Board of Trustees reviewed the minutes for the June 10, 2020 meeting. Mr. Hobbs made a motion to approve the minutes, seconded by Mr. Mitchell. The motion passed 3-0.

Warrant 884

DROP Rollover Request (final) for Mr. William Gordon. Motion by Mr. Hobbs to approve as outlined, seconded by Mr. Mitchell. Motion passed 3-0.

Warrant 885

Payment of \$2,930.00 to Dulaney and Company for actuarial services through May 2020. Motion by Mr. Hobbs to approve as outlined, seconded by Mr. Mitchell. Motion passed 3-0.

Warrant 886

Payment of \$16,230.00 for investment services for the second quarter of 2020. Motion by Mr. Mitchell to approve as outlined, seconded by Mr. Hobbs. Motion passed 3-0.

Warrant 887

Payment of \$70.29 for Fifth Third for office supplies. Motion by Mr. Hobbs to approve as outlined, seconded by Mr. Mitchell. Motion passed 3-0.

Warrant 888

Non-Vested Return of Contributions for Mr. Dillon Russell. Motion by Mr. Mitchell to approve as outlined, seconded by Mr. Hobbs. Motion passed 3-0.

ATTORNEY'S REPORT:

2020 Summary Plan Description – Mrs. Harvey updated the SPD to add the re-employment after retirement.

Mrs. Harvey advised that the ordinance pertains to former members who retire and become re-employed by the City as a reserve officer working less than 30 hours a week or are otherwise ineligible to participate in the Plan. Under these circumstances, the re-employed individual may receive an in-service distribution upon re-employment with the City. Mr. Hobbs asked how the 30 hours a week are calculated. Specifically, Mr. Hobbs asked if they are calculated using a "look back" approach averaging the number of hours worked over the course of one year. Mrs. Harvey advised the ordinance is silent on the issue and noted the Board may consider drafting a proposed ordinance change clarifying how the weekly hours are calculated.

Mr. Hennessy stated that there should be an ordinance coming to update the SPD regarding the post retirement stipend increase. Mr. Hennessy will forward a signed copy of the newly ratified CBA to Mrs. Harvey once he receives it.

Lauderhill Housing Authority – Mrs. Harvey stated that as of this morning there was no \$1M payment received by LHA or the City of Lauderhill as per our custodian (Fifth Third Bank). The Plan did receive the past due payments through June 30, 2020 without late fees. Mr. Hobbs reflected that the City of Lauderhill has assumed the pension debt from the Lauderhill Housing Authority. Mr. Hobbs stated that there is a request from the City of Lauderhill to renegotiate both million-dollar LHA notes. Going forward per Mr. Hobbs the payments will be made directly by the City of Lauderhill, not Lauderhill Housing Authority. Mr. Hennessy asked Mrs. Harvey to review the notes and confirm whether the Lauderhill Housing Authority may assign its debt under the notes and whether a new agreement needs to be drafted reflecting the city's assignment. The Board will be having a special meeting on Monday, July 20th at which time a presentation by the City of Lauderhill regarding the Housing Authority Notes will be presented.

Mr. Hennessy asked Mrs. Harvey to add language regarding a 13th check to the SPD.

ACTUARY'S REPORT:

Actuarial Valuation Report – Mr. Dulaney presented the Actuarial Valuation Report. Motion to accept the Actuarial Valuation report as presented by Mr. Hobbs, seconded by Mr. Mitchell. Motion Passed 3-0.

The entire report may be viewed at:

http://lauderhillpolicepension.org/docs_state/ActuarialValuation/LP%202019%20Valuation.pdf#zoom=100

PLAN ADMINISTRATOR'S REPORT:

2020 – 2021 Budget – Mr. Williams presented the annual budget. Mr. Hobbs made a motion to approve the budget as presented, seconded by Mr. Mitchell. Motion passed 3-0.

The budget can be viewed at:

http://lauderhillpolicepension.org/docs_state/AnnualBudget/2020-2021%20LH%20Police%20Pension%20Plan%20Adm%20Expense%20Approved%2007-08-2020%20meeting.pdf#zoom=100

Motion to approve Mr. Jovan Vazquez-Ocasio as a new member to the plan by Mr. Mitchell, seconded by Mr. Hobbs. Motion passed 4-0.

NEW BUSINESS:

None

OLD BUSINESS:

None

ADJOURNMENT:

Being there was no other business; the meeting was adjourned at 3:45 p.m.

Approved:  Date: August 30, 2020
Chairman Hennessy

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME HOBBS, KENNIE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LAUDERHILL POLICE OFFICERS' RETIREMENT PLAN	
MAILING ADDRESS 5581 W Oakland Park Blvd, 33313		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY LAUDERHILL	COUNTY BROWARD	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JULY 20, 2020		NAME OF POLITICAL SUBDIVISION: CITY OF LAUDERHILL	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

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, KENNIE HOBBS, hereby disclose that on JULY 21, 20 20 :

(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, _____ ;
- ☐ 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:

The Board of Trustees voted to renegotiate the bond rates and terms with the City of Lauderhill that were recently assumed from the Lauderhill Housing Authority. As the Deputy City Manager / Finance Director of the City of Lauderhill, I felt there was a conflict if I voted. As such, I respectfully abstained.

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.

July 21, 2020

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.