

City of Boynton Beach Municipal Firefighters Pension Trust Fund

MINUTES

August 07, 2024

9:00 A.M.

Chairman Raybuck called to Order the meeting of the Board of Trustees of the City of Boynton Beach Municipal Firefighters' Pension Trust Fund, on August 07, 2024, at 9:05 A.M.

TRUSTEES PRESENT:

Mr. Jon Raybuck – Chairman; Mr. Conner Flechaus – Trustee; Mr. Desirae Patterson, Trustee.

OTHERS PRESENT:

Mr. Georgio Salame; Mr. Shawn Weeks; Mr. David West – Mariner Institutional; Mr. Adam Levinson, Board Attorney – Klausner, Kaufman, Jensen and Levinson; Mr. Dave Williams, Plan Administrator.

It should be noted that there was a quorum for the Board to have an official meeting.

PUBLIC DISCUSSION:

Mr. Weeks presented a letter to the Board to consider and outlined his position. "While reviewing the final post-actuary document provided for my optional final election, a discussion on actual benefit accrual emerged. The total pensionable earnings amount to \$523,636.21, which has been subjected to a 12% pension contribution, resulting in an annual benefit of \$104,956.68. It is important to note that the total pensionable earnings mentioned above did not include additional compensation from Sick and Vacation payouts over the "Snap Shot" period, nor was the 12% deduction applied.

With the implementation of the "cap," my maximum annual benefit is listed as \$100,829.54, which represents a reduction of \$4,127.14 annually (prior to future COLA implementation). According to the provided calculation, approximately \$20,590 of final Sick, Vacation, and Comp accrual payouts were not considered as pensionable earnings (in addition to the non-pensionable earnings due to the "Snap Shot" as mentioned above). Therefore, it is believed that the 12% deduction should not have been applied to the \$20,590 in non-pensionable earnings of Sick, Vacation, and Comp-time, which would result in an additional deposit of approximately \$2,470.80 into the initial DROP account on July 1, 2024.

I respectfully request that the Board of Trustees consider this situation, which is likely to reoccur in the future, and reapply funds at the earliest convenience."

Mr. Raybuck reflected that the ordinance does not allow such a request. Mr. Raybuck asked Mr. Salame if he would be opposed to negotiating refunds. Mr. Salame was not inclined to confirm either way. Mr. Salame further opined that scenario should have been factored into the collective bargaining agreement when the capped was negotiated.

Mr. Levinson stated he welcomes the conversation, but the Board is constrained by the city ordinance.

No formal action taken or directed.

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CONSENT AGENDA:

APPROVAL OF THE MINUTES:

Mr. Raybuck asked if everyone had an opportunity to review the minutes of May 01, 2024. A Motion was made by Mr. Flechaus to approve the minutes. The Motion was seconded by Mrs. Patterson. Motion passed 3-0.

APPROVAL OF THE WARRANTS:

Warrants 670 through 696 were presented with all the supporting back-up to the Board for approval. After review & consideration a motion was made by Mr. Flechaus to approve the Warrants as presented. The Motion was seconded by Mrs. Patterson. Motion passed 3-0.

INVESTMENT MONITOR:

Quarterly Investment Report: Mr. West advised that on June 30, 2024 the Fund's value was \$176,944,725.00, which was a decrease from \$177,219,993.00 for the quarter ending March 31, 2024. A market executive summary was provided by Mr. West.

Mr. West's report includes data relative to the economy and may be viewed on-line at:

<http://bbffp.org/docs/investments/2024-06-30%20Boynton%20Beach%20Firefighters%20Quarterly%20Report.pdf#zoom=100>

Mr. West recommended that the state 175 funds be placed in the money market fund account when received. The foregoing was placed in the form of a motion by Mr. Flechaus and seconded by Mrs. Patterson. Motion passed 3-0.

ATTORNEY'S REPORT:

Mr. Levinson indicated he did not have the administrative rule approved at the May 01, 2024 meeting. The rule was related to members who do not make three years of contributions towards the new cola benefit, would receive a refund with minimal interest. Mr. Levinson reflected that this may be best inserted into the city ordinance in lieu of an administrative order. Mr. Raybuck felt it should remain an administrative rule. Mr. Salame agreed with Mr. Raybuck as a rule can be changed at the Board level. Mr. Levinson will proceed with the draft for the next meeting¹. Mr. Raybuck also asked Mr. Levinson to prepare a master booklet of all administrative rules adopted over the years. Mr. Levinson will assemble accordingly.

Mr. Levinson presented the Mariner Institutional Agreement prepared due to the change from AndCo Consulting. Motion by Mr. Flechaus to accept and authorize the Chairman to execute the agreement, which was seconded by Mrs. Patterson. Motion passed 3-0.

Mr. Levinson provided a 1099-R reporting memo for the Board to consider.

Mr. Levinson noted the memo regarding 175 funds from contract cities. It was stated that the City of Boynton Beach will be taking over the reporting responsibilities to the State of Florida.

¹ November 6, 2024.

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NEW/UNFINISHED BUSINESS

- Mr. Salame reflected that he is in negotiations with the city, which will require a change in the ordinance.
- Cale Resignation – Mr. Williams advised that he and Mr. Raybuck received a resignation notice² from Mr. Cale. Nominations for the seat will follow shortly.
- Board Secretary – Tabled till next meeting.
- Recalculation of benefits or Restatement of DROP Date – Update Mr. Levinson.
No update from Mr. Levinson on this matter. Mr. Levinson was asked by Mr. Raybuck to follow-up “in writing” with the city attorney regarding the recalculation matter due to the payroll provided by the city to the Plan. Mr. Raybuck cited the city attorney wants the request in writing outlining the issue and providing supporting documents for consideration.

PLAN ADMINISTRATOR:

- 2024/25 Administrative Budget: Mr. Williams outlined the Administrative Expense Budget provision. 175.061(8) and 185.05(8) require that all firefighter and police Boards of Trustees shall provide a detailed accounting report and operate under an administrative expense budget. A copy of the budget shall be provided to the plan sponsor and made available to plan members before the beginning of the fiscal year. If the Board amends the administrative expense budget, the Board must provide a copy of the amended budget to the plan sponsor and make available a copy of the amended budget to plan members. For plans that use a September 30 - October 1 fiscal year, the new administrative expense budget must be prepared and made available prior to October 1st. After review and discussion, Mr. Flechaus made a motion to approve the 2024/25 Administrative Expense Budget as presented, which was seconded by Mrs. Patterson. Motion passed 3-0.

A copy of all required disclosures may be viewed at:

<http://bbffp.org/modules/stateDocs/reports.asp>

- Mr. Williams presented the 2025 meeting dates.
<http://bbffp.org/docs/boardMeetings/2025%20Boynton%20Fire%20Meeting%20Dates.pdf#zoom=100>
- Mr. Williams also provided the Bookkeeper report through May 31, 2024 for informational purposes.
- Mr. Williams cited - Annual confirmation of Retirements underway.
- FPPTA – Pension Plan Data for FY 2022 was provided via handout.
- Notice of 53rd Annual Police and Fire Trustees’ Conference sponsored by the State of Florida was provided by handout.

OPEN DISCUSSION:

None.

ADJOURN:

Meeting adjourned at 10:49 A.M.

Next next regular meeting is November 12, 2024 at 9:00 A.M.

Jon Raybuck

FOR THE BOARD

² July 10, 2024.