

MEMORANDUM

TO: Thomas J. Perona
Chair, Fort Pierce Retirement Board

FROM: James T. Walker, Esquire

CC: Robert V. Schwerer, Esquire
Johnna Morris, Finance Director
James Messer, Esquire, City Attorney

RE: **PROPOSED AMENDMENT TO BOARD RULE 1 (MISCELLANEOUS)**

This memorandum responds to request made by the Board at its last meeting of February 16, 2017, for a proposed draft amendment to the Rules of the Retirement Board, which clarifies the question of continuing board membership in the case of a police officer who, when originally elected to the Board, was an active employee and member of the Retirement System, but who is now retired 'tho remains actively employed as a duty officer by the Department, in the DROP program. Such clarification is offered in recognition and furtherance of the Board's role in construing the provisions of Ch. 13 of the Code of Ordinances. See Code sec. 13-71. The Board may wish to consider the following draft amendment to Rule 1(c)(Definitions:

Section (c) Definitions. Unless otherwise required by context, the following words shall have the meanings herein provided for:

- (1) "Applicant" shall mean any individual who petitions the BOARD for relief.
- (2) "BOARD" shall refer to the Fort Pierce Retirement BOARD.
- (3) "Code" shall refer to the Code of Ordinances of the City of Fort Pierce.
- (4) "Retirement board member", for purposes of Code Sec. 13-76 (Vacancies), shall include employees who are members of the retirement system, or who are actively employed as participants in the Sec. 13-40.1 DROP program.

It is hoped that the foregoing is helpful to Board deliberation. It would be a pleasure to further address the subject in whatever fashion the Board might desire. Thank you for this opportunity to be of assistance.