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August 22, 2017

Thomas K. Perona  
Chair, Fort Pierce Retirement Board  
City of Fort Pierce  
100 North U.S. Highway One  
Fort Pierce, FL 34950

RE: **AMENDMENT OF BOARD RULE 17**

Dear Tom:

This letter serves to follow up on the Board's meeting of August 17, 2017 where, it will be recalled, the Board discussed on "first reading" the draft of proposed Amendments to Board Rule 17. Such Rule is resubmitted with changes incorporating suggestions made at the meeting, such draft now reading as follows:

Rule 17. Benefit Administration

Administration of benefits awarded by the Board shall be subject to the following provisions:

- (1) Bi-annually, once every two years, the Secretary shall verify a beneficiary's continuing entitlement to receipt of pension payments. ~~In place of sending payments by mail, the Secretary shall send the beneficiary notice to physically appear for the purpose of receiving payments and thereupon produce such documentation as may be necessary to establish continuing entitlement to receipt of such payment.~~ The Secretary shall send the beneficiary notice to return a provided mandatory information request form by a date certain, for the purpose of receiving payments and to establish continuing entitlement to receipt of such payment. Failure to complete and return the form by the date certain will result in a suspension of the monthly benefit.
  
- (2) Each mailing of a benefit payment shall be accompanied by this written notice in large, bold, capped print: **WARNING: THIS CHECK MAY BE NEGOTIATED ONLY BY THE NAMED PAYEE, EXCEPT AS OTHERWISE AUTHORIZED BY THE NAMED PAYEE OR THE CITY FINANCE DIRECTOR. PERSONS OTHER THAN THE NAMED PAYEE WHO CASH THIS CHECK, CONVERT THE**

**PROCEEDS OR OTHERWISE APPROPRIATE SUCH MONIES WITHOUT AUTHORIZATION OF THE FINANCE DIRECTOR MAY BE SUBJECTED TO CRIMINAL PENALTY FOR VIOLATION OF LAW AND THE CITY OF FORT PIERCE RESERVES ALL RIGHTS TO PROSECUTE SUCH PERSONS AND TO FURTHER PURSUE ANY AND ALL OTHER REMEDIES FOR RECOVERY, WITH INTEREST, OF ALL MONIES TAKEN, CONVERTED OR APPROPRIATED WITHOUT AUTHORIZATION. In the event benefit payment is made by direct deposit, such written notice shall accompany the physical check stub which is sent out contemporaneously to the payee when such direct deposit is made.**

- (3) In the event the Secretary finds that there has been an unauthorized taking, conversion or appropriation of retirement benefits by any person other than the intended retirant or beneficiary, the Secretary shall immediately investigate and then report the matter to the Board. The Board shall consider the fiduciary interest of the Retirement Board and shall take appropriate steps to secure recovery of all such monies. In the event there was an unauthorized taking of benefit payments by any person other than the intended retirant or beneficiary, such payments amounting to less than a 90 day period of benefit entitlement, the Board may in its discretion request criminal investigation by the St. Lucie County Sheriff's Department. If the value of the monies in question exceeds the equivalent of a 90 day period of benefit entitlement, the Board shall proceed to make a referral for further investigation to the St. Lucie County Sheriff.

Thanking the Board for its usual attention, I am and shall ever continue to remain, as always

Most cordially yours,

*James T. Walker*

JAMES T. WALKER, ESQUIRE  
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