

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

Summarized Minutes of the regular meeting of the City of Fort Pierce Retirement and Benefit System October 18, 2018 2:00 p.m., in the 2<sup>nd</sup> Floor Conference Room at City Hall.

Present:

Comm. Tom Perona	City Commission Member
Keith Stephens, Vice -Chairperson	U.A. General Member
Johnna Morris	Director of Finance
Brian Avilla	Police Officer Member
Nina Penick	U.A. Board Appointee

Attorney Jim Walker	Attorney for the Retirement Board, Advisory
Christina Paz	Retirement Clerk

Absent:

Caleta Scott	General Member
Commissioner Reginald Sessions	City Commission Member

Recording:

Queen Thompkins	Executive Assistant to the Director of Finance
-----------------	--

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**ITEM NO. 1 & 2 ~ ROLL CALL**

**Comm. Perona** called the meeting to order at 2:02 p.m., the first item on the agenda being the “Roll Call”.

**ITEM NO. 3 ~ COMMENTS FROM THE PUBLIC**

**Comm. Perona**, the next item on the agenda was comments from the public.

**Barrington Levy** said he appreciates being given the opportunity to speak before the Retirement Board. I have worked with the City as a Forman II with the Public Works Department.

**Comm. Perona** informed Mr. Levy he is coming up shortly under the Public Hearings on Benefit Applications. At this time he may address the Board.

**ITEM NO. 4 ~ APPROVAL OF SUMMARIZED MINUTES OF SEPTEMBER 20, 2018**

**Comm. Perona**, the next item was the approval of the summarized minutes of August 16, 2018, and the Board asked if there was a motion to approve the minutes. A correction was made on Mr. Douglas Noah’s last name at the attendance of visitors from Miller to Noah. **A motion was made by Ms. Johnna Morris and seconded by Mr. Brian Avilla to approve the summarized minutes of September 20, 2018.**

**All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**ITEM NO. 5 ~ ATTORNEY’S REPORT**

**Attorney Jim Walker** said there’s nothing to report; will entertain any questions the Board may have.

**ITEM NO. 6 ~ PUBLIC HEARINGS ON BENEFIT APPLICATIONS**

**Comm. Perona** opened up the public hearing for comments on the request for Retirement from Barrington F. Levy with 7 years and 4 months of service with the City of Fort Pierce. He asked if there was anyone here who would like to publicly comment on this request.

**Mr. Barrington Levy** said he has been employed with the City since 2011. His position was Forman II. While he worked for the City, he gave 100% of himself and he felt good about the work he did. He wish for three things to take place and that is for everyone to work together, be productive, and have patience.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**Comm. Perona** thanked Mr. Levy for his comments and his dedication while employed with the City of Fort Pierce. Comm. Perona closed the public hearing. He opened up the matter for the Board. **A motion was made by Ms. Johnna Morris and seconded by Mr. Keith Stephens to approve the request for retirement from Barrington F. Levy.** Comm. Perona asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**ITEM NO. 7 ~ OLD BUSINESS**

**ITEM NO. 8 ~ NEW BUSINESS**

**a. HALF CENT SALES TAX PRESENTATION**

**Mr. Jack Andrews** thanked the Board for allowing him to speak to the Board members concerning the half cent sales tax. Everyone is pretty much aware we have Amendment 14 on the ballot for an increase of half cent sales tax for St. Lucie County. I'm here to educate anyone who may have some questions. This tax is one that is very much needed in the City. This will help us to get caught up on our roads and infrastructure. Of course, this is a drop in the bucket of what we really need, but one thing it will do is give us the ability to go after other grants that we can have the matching funds for; either the grants or possibly for funding throughout the year. Very important, this tax will sunset after 10 years; brings us in line with other counties; we have Indian River, Okeechobee, and Palm Beach who are currently at 7%. This will bring us to 7%. For Fort Pierce, it looks like we'll be bringing in an estimated \$1.8 million a year; total County-wide is approximately \$18.6 million estimated. It does allow our visitors and winter guest; people from other counties to help out with our tax situation. That's all I have and I would be happy to answer any questions. The money has to be used for infrastructure, water quality, sidewalks; one of the biggest things we will be looking at is street resurfacing.

**Comm. Perona** asked how they came up with the allocations for the different communities.

**Mr. Andrews** said it is based on population but it also follows the same formula as the gas tax. The way it's broken down is the County is like \$9.5 million, Port St. Lucie is \$7.5 million; the County gets a bigger share than the City on the gas tax calculations. It's based on population but it's also on the rest of the formula.

**Comm. Perona** said he kind of knew that; we talked about that before. I always have to bring that up, because I believe that it's probably the most accurate way of doing this particular one. You think about people in the County and Port St. Lucie; soon as they get some free time or some visitors, they drive to Fort Pierce and they blow up our beaches and roads; I always think we should get a bigger share of it. I am happy that visitors will account to about 20% of the tax, so we are letting our winter visitors and folks that are coming through the area pay for 20% of that. Without this taxing unit, it bleak. I think you and I have talked for the last 9 years about how we're going to get this done without making the individual homeowners pay for their own roads, which somehow doesn't really go over very well with neighborhoods. We have some other funding with

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

our stormwater which could flow into some of the other infrastructure that could be a part of the road reconstruction; Utilities Authority with some of their renewals and replacements; when you add all that together plus any other monies you can get through grants, we can go a long way with \$1.8 million and I'm excited about that. Any chance you get to talk to whomever; your friends, family, neighbors, associations; everywhere you go, please endorse Amendment 14.

**Ms. Penick** asked how you get on the local Citizen Oversight Committee.

**Mr. Andrews** said he doesn't think that has been decided yet whether there will be one group for the whole County or each municipality and the County will have their separate one.

**Ms. Penick** said it's something she would be interested in.

**Comm. Perona** thanked Mr. Andrews for his presentation. I don't think staff can promote it but we can tell people exactly how we would vote; what's good; what's not good. That makes it really easy for to be able to demonstrate the plus and minus.

**Mr. Andrews** said every public meeting he has been involved in, the public has been positive. They've been open minded and there hasn't been that much negative fighting going on. Citizens realize that our infrastructure is in dire needs.

**Comm. Perona** said you have a hierarchy of roads that are rated from one to 500 or whatever it is, or the worse to the best. It seems like it's every other month we got neighborhood association here demanding that we do something with their roads. When you think about it for a moment, you have a \$50,000 house; you have a \$25,000 tax exemption; you're paying tax on \$25,000 at a rate of 6.9% to the City; how many years you think it's going to take of paying all that tax just to replace the road in front of your house? It would take over a lifetime. You really can't think that it's going to come from ad valorem. It's going to have to come from creative thinking and other contributions. This is a way to do it. I think most of us that are representing the City will tell folks that if you don't vote for this, I don't want to hear any more complaints about your road, because we gave you an opportunity.

**b. FIRST READING OF AMENDMENT TO CODE SECTION 13-27 CREDIT FOR INTERVENING MILITARY SERVICE**

**Mr. Walker** said this isn't actually a first reading. What is being proposed will lead to a presumably a motion to recommend approval to the Commission so that the draft ordinance may then be considered there in a first and second reading. This embodies discussions that took place at the last meeting design to align the code with insights gain through the litigation involving Robert Creswell's case. We've done a number of things; we've attempted to establish a procedure that would improve communication between the City and returning employees who are coming back from active military duty to ensure their awareness of the proper procedure for preserving their entitlement to credit for past military service. In addition, we added a provision that notes in the event that there are any questions of conflict between our Code and USERRA, then USERRA should prevail.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM**  
**MINUTES OF MEETING HELD**  
**October 18, 2018**

**Comm. Perona** said the Creswell situation was a complex and difficult task. I was very proud of the Board for sticking to our guns. We can't just assume that it may be right or wrong; we defend this Retirement with everything that we have in our arsenal. Sometimes we have to change our arsenal. I think that whole process helped us and there was a lot of learning and education, and Mr. Walker, you did a great job. I have a better understanding of USERRA and how it relates to the City. Hopefully, we won't have to use it a lot. There are a lot of communities and Boards right now that would fold immediately upon challenge and we just don't do that. You have to be unanimous before we start moving and changing. I think that speaks to our success as a Retirement Board.

**Mr. Stephens** said although you said one year and I'm assuming one year was already in there, am I wrong that he said technically, according to USERRA, is it 3 or 5; 3 years he could come at last month; as long as he or she is ready to pay, they could?

**Ms. Morris** said he said they had 3 years to pay it, but we could say you have a year to let us know.

**Mr. Stephens** said ok. I was trying to remember exactly. What if he doesn't let us know in a year and he comes back at 2 years and 10 months and say, now I want to pay this.

**Ms. Morris** said our rules say he has to notify within one year. He said the rule says we have to give them 3 years to pay for it.

**Comm. Perona** said we also talked about a conversation between that employee and the employer to make sure that in that year, they understand fully that they have that to do. Before it was just come back and it was your responsibility as the employee to come to your employer. Now there's an exchange of conversation that has to happen in that first year. I think since they already know it, they make the decision in the first year.

**Mr. Stephens** said he agree. I don't think you are going to have problems 99% of the time.

**Ms. Morris** said we are creating a document that we'll have in HR and we will send to your HR Dept. as well as it relates to the Pension System, that when the employee leaves, they have to sign off that they've been notified. Upon returning, they signed that they've been notified.

**Comm. Perona** said he would like to entertain a motion accept the first reading of Code Section 13-27.

**Mr. Walker** said he would suggest that it be a motion to recommend a draft to the Commission for consideration.

**Comm. Perona** said he open up the matter for the Board. **A motion was made by Mr. Keith Stephens and seconded by Ms. Johnna Morris to recommend a draft to the Commission for consideration of Code Section 13-27.** Comm. Perona asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying**

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**c. FISCAL YEAR 2019 PROPOSED BUDGET**

**Ms. Morris** said you have in your documents the proposed budget for FY19. As always it's projected, it's about \$80,000 more than last year with some of the increases that we have in our line items; mainly our administrative cost; we have the cloud base annual cost that's in there as well as some of the other administrative increases that we annually see. Aside from that everything is pretty much status quo. We do have the \$1million contingency that's billed in that we have not used but we do budget it every year. We're saying about \$8.6 million for transfers to balance it. We've been using about \$7 million in order to do our benefit payment. We have to do a \$7 million transfer from our investment to make the benefit cost right now.

**Comm. Perona** asked is the \$51,000 impact from different vesting schedule.

**Ms. Morris** said not the vesting; that's computed in as well. We've got the cost of living employee raises for employees and all of that built in.

**Comm. Perona** asked the Board if there were any questions.

**Ms. Penick** said it looks like the numbers for the Utilities are way low and I know when we budget, we budget conservatively. For example, the employer contributions are probably more like \$2.4 million instead of \$2.175 million or \$2.353 million. Now that the year is over with, I don't know how long ago this was put together.

**Ms. Morris** said when you saying the contributions on the \$2.4 million that we're budgeting?

**Ms. Penick** said it's for the employer contributions that's \$2.4 million and the member contributions are about \$822,000.

**Ms. Morris** said I took the numbers that we had approved and where we are right now. We are at \$2.3 million that estimate where we are right now for the fiscal year end at \$2.3 million and the \$889,000 as to what we are thus far; what we had when I pulled this.

**Comm. Perona** said he would like to entertain a motion to approve the budget as stated. **A motion was made by Mr. Keith Stephens and seconded by Mr. Brian Avilla to approve the budget as stated.** Comm. Perona asked for any questions or comments on this request before the motion was called. **All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**d. APPOINTMENT FOR CHAIRMAN AND VICE-CHAIRMAN OF THE CITY OF FORT PIERCE RETIREMENT BOARD**

**Comm. Perona** said I will entertain a motion for Chairman of the Retirement Board and I will say that I am not eligible nor will he serve as Chairman.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**Ms. Penick** asked Comm. Perona why wasn't he eligible.

**Comm. Perona** said because he made his mind up he wasn't going to be Chairman. If we all get certified, I will step down as Chairman and we can go through a form of rotation so that we all get a chance to serve as Chairman. I've been Chairman for 7 years and getting tired, so I am no longer eligible. **A motion was made by Ms. Nina Penick and seconded by Ms. Johnna Morris to nominate Keith Stephens to be the next Chairman of the Retirement Board.** Comm. Perona said he close the nomination.

**Mr. Walker** said he would recommend that Comm. Perona first solicit any other nominations and once the Chairman is satisfied that all nominations are in hand, then you call for a motion to close the nominations, whereupon a motion to elect the person would be in order.

**Comm. Perona** asked if there were any other nominations for Chairman of the Retirement Board; seeing none. He asked Mr. Walker, by vote does he have to close this.

**Mr. Walker** said he would recommend that so that there's record evidence.

**Comm. Perona** said we have a motion on the floor, does that motion sit aside while we close?

**Mr. Walker** said it wasn't necessary.

**Comm. Perona** said okay; we have a nomination and I am entertaining a motion to close the nominations. **A motion was made by Ms. Nina Penick and seconded by Ms. Johnna Morris that the nomination be closed. All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**Comm. Perona** asked for a motion to elect Mr. Keith Stephens as Chairman of the Retirement Board. **A motion was made by Ms. Nina Penick and seconded by Ms. Johnna Morris to elect Keith Stephens as Chairman of the Retirement Board. All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**Comm. Perona** said he congratulates Mr. Stephens on becoming Chairman of the Retirement Board and turned the reign over to him.

**Mr. Stephens** said the floor is open to nominate a Vice-Chairman of the City of Fort Pierce Retirement Benefit System.

**Comm. Perona** said to Ms. Penick, in the past, you have has always shied away from this. **A motion was made by Comm. Tom Perona and seconded by Ms. Johnna Morris to nominate Caleta Scott to be Vice-Chairman of the Retirement Board.**

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**Mr. Stephens** said we don't need a second if we have a nomination, is that correct?

**Mr. Walker** said that's correct. At this point you would wish to attempt to satisfy yourself that there are no other nominations to be considered, whereupon you would call for a motion to close.

**Mr. Stephens** said we have a nomination for Caleta Scott. Are there anymore nominations at this time? **A motion was made by Comm. Perona to close the nomination. All those in favor of the motion signified by saying aye. A poll was done of each Board member. There was no opposition and the motion was carried unanimously. A motion was made by Comm. Perona and seconded by Mr. Brian Avilla to elect Caleta Scott to be the next Vice-Chairman of the City of Fort Pierce Retirement Benefit System. A poll was done of each Board member. There was no opposition and the motion was carried unanimously.**

**ITEM NO. 9 ~ CONSENT AGENDA**

**Mr. Stephens** said the next item is the Consent Agenda. **A motion was made by Ms. Johnna Morris and seconded by Ms. Nina Penick to approve the refund of member contributions. All those in favor of the motion signified by saying aye. There were no opposition and the motion carried unanimously.**

**ITEM NO. 10 ~ CONSIDERATION OF ABSENCES**

**Mr. Stephens** said the Board acknowledges the excused absent of Ms. Caleta Scott. **A motion was made by Comm. Tom Perona and seconded by Ms. Nina Penick to approve the excused absence of Ms. Caleta Scott.** Comm. Reginald Sessions did not called concerning his absence from the meeting.

**ITEM NO. 11 ~ BOARD MEMBER COMMENTS**

**Comm. Perona** said he is happy that this Board has elected Mr. Stephens as the Board next Chairman. We have all been a part of this a long time and Mr. Avilla has not come along very fast. Every one of us can do this job and it's important every once and awhile that you are given the chance to get behind the wheel. It's a little different from time to time. As I was explaining to Mr. Walker yesterday, I look forward to it because running a meeting is sometimes hard to be able to get ahead in some of the issues that you have that you would like to talk about. You have to be responsible as far as carrying the meeting forward. As we all get a chance to be a part of that administration, it makes this Board stronger. We get to learn our consultants and our money managers better. Has Comm. Sessions signed up for the next school? I need to know that as we approach December and we start setting up the assignments. There are people on the Commission that are very interested in the Retirement Board and would go to FPPTA Trustee School to make sure we have a unanimous and a 100% attendance with that function.

**Ms. Morris** said he hasn't.

**CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM  
MINUTES OF MEETING HELD  
October 18, 2018**

**Ms. Penick** said she would like to thank the former Chairman for his service. I sit and watch these meetings all the time; I should know what to do; it isn't that easy. We appreciate your excellent service for the past 7 years.

**Ms. Morris** said she wants to let the Board know that she just recently received correspondence from Callan as to the search they were going to be doing for us. It will be included in next month's agenda packet, which is also the time that our money managers will be here as well.

**Mr. Stephens** said he just want to Comm. Perona, you make it look very easy because you get to do it at the City Commission level. The couple of times I've filled in, there're a lot of procedures that naturally rolls off of you; I'm going to be learning it and I will be looking to Mr. Walker to guide me along the way.

**Comm. Perona** said this will also help with sustainability; this Retirement System has an investment in each one of us. We've all gone to school; we've all learned; spent our company's time here building a certain amount of experience and knowledge.

**ITEM NO. 12 ~ ADJOURNMENT**

The next item was next month's meeting. The next meeting is scheduled for October 18, 2018 at 2:00 p.m.

**All those in favor of the motion signified by saying aye. There was no opposition and the motion carried unanimously.**

The meeting was adjourned the meeting at 2:55 p.m.

ATTEST:

\_\_\_\_\_  
Secretary/Treasurer

\_\_\_\_\_  
Chairperson

Note: These minutes are not verbatim, only important issues and motions are reproduced in writing for the benefit of the Fort Pierce Retirement and Benefit System members. The recording itself is the official record for the meeting. The meeting tape/cd is available.