

CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSSYTEM MINUTES OF
MEETING HELD AUGUST 21, 2025

Summarized Minutes of the regular meeting of the City of Fort Pierce Retirement and Benefit System August 21, 2025, 2:00 p.m., in the Commission Chambers at City Hall

Present:

Kyle MacCarthy	Police Officer Member, Chair
Wendy Rydzewski	City of Fort Pierce General Member, Vice-Chair
Comm. Michael Broderick	City Commission Member
Johnna Morris	Secretary/Treasurer
Keith Stephens	U.A. General Member
Michele Harris	U.A. Board Appointed Member

Guests:

Attorney Bonni Jensen	Attorney for the Retirement Board, Advisory
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Recording:

Megan LeGrand	Executive Assistant to Director of Finance
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Absent:

Comm. Arnold Gaines	City Commission Member
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ITEM NO. 1 & 2 - ROLL CALL

Mr. Kyle MacCarthy called the meeting to order at 2:00 pm on Thursday, August 21, 2025, the first item on the agenda being the “Roll Call”.

ITEM NO. 3 ~ COMMENTS FROM THE PUBLIC

Mr. MacCarthy opened for comments from the public. Seeing as there was no public, Mr. MacCarthy closed the comments.

ITEM NO. 4 ~ CONSIDERATION OF MINUTES

A motion was made by Ms. Johnna Morris and seconded by Ms. Wendy Rydzewski to approve the minutes. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.

ITEM NO. 5 ~ REPORT FROM THE BOARD ATTORNEY

Attorney Bonni Jensen gave an overview of a recent Supreme Court Case of Stanley v. City of Sanford. The ruling gave precedence that retiring with a non-duty disability does not give the retiree a “qualified individual” status under the ADA regarding healthcare.

ITEM NO. 6 ~ PUBLIC HEARINGS ON BENEFIT APPLICATIONS

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Mr. MacCarthy opened the public hearing for the request for retirement from Michael Currid with 18 years and 3 months of service with the Fort Pierce Utilities Authority. Seeing no public, the hearing was closed, and the request was opened for Board discussion. **A motion was made by Mr. Stephens and seconded by Comm. Broderick to approve the request. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.**

Mr. MacCarthy opened the public hearing for the request for retirement from Sonia Gomez with 29 years and 10 months of service with the Fort Pierce Utilities Authority. Seeing no public, the hearing was closed, and the request was opened for Board discussion. **A motion was made by Comm. Broderick and seconded by Ms. Morris to approve the request. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.**

Mr. MacCarthy opened the public hearing for the request for retirement from Andrew Avers with 12 years and 9 months of service with the Fort Pierce Utilities Authority entering DROP. Seeing no public, the hearing was closed, and the request was opened for Board discussion. **A motion was made by Ms. Harris and seconded by Ms. Rydzewski to approve the request. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.**

Mr. MacCarthy opened the public hearing for the request for retirement from Jennifer Robinson with 30 years and 2 months of service with the City of Fort Pierce. Seeing no public, the hearing was closed, and the request was opened for Board discussion. **A motion was made by Comm. Broderick and seconded by Ms. Rydzewski to approve the request. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.**

ITEM NO. 7 ~ OLD BUSINESS

None

ITEM NO. 8 ~ NEW BUSINESS

Mr. MacCarthy opened the discussion for the rehiring of retirees.

Ms. Morris clarified that this was put on the agenda because there were questions from City Staff and the FPUA Staff on how to handle rehiring retirees through a temp agency. In the way the current Plan reads, there is to be no rehiring of retirees in any way or form unless there is a suspension in their pension.

Atty. Jensen agreed that it is something that is being seen across the nation. The way Florida handles this process is that if a retiree is determined to have had a bona fide separation of employment, with no intention of coming back to work for the City, then they must go through a competitive hiring process to take a position.

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Ms. Morris asked if and how the process changes if the retiree comes back to work for the City as a temp hire through an outside agency.

Atty Jensen stated that it depends on how the contract with the agency reads as to whether the agency and the City are named as joint employers. It is a fine line to walk in this instance. In order for it to be clearer, there would need to be language added to the Plan to list out the ways a retiree could come back to work with the City. There is an Internal Revenue Code that allows people to be receiving benefits from the pension as well as taking a regular employment check (providing that they are at least of normal retirement age of 59 ½ or have 20 (police) or 25 (regular) years of service), but it is not generally healthy for the pension program.

Mr. Stephens asked if that would be considered a way to extend the DROP Program.

Atty. Jensen agreed that technically it would do so.

Mr. Stephens asked if there was time period allowed before a person could or could not come back.

Ms. Morris confirmed that because the current language reads that it is not allowed in the current Plan, there is no time period.

Atty. Jensen further clarified that Florida has rules within the State pension program because of issues of retirees abusing the system in other cities. There are exemptions in the age and service requirements for police and firefighters that were not being reported to the IRS as to their status of retirement, and other municipalities have updated the language in their pension systems to address if and how a retiree could be rehired after retirement to prevent any further issues.

Ms. Morris agrees that in the current Plan, there is a rule for coming back is that the Board has to approve the rehire AND the pension has to be suspended.

Mr. Stephens acknowledged that because of this rule, it is difficult to ask retirees to be reinstated for a brief time in an emergency.

Comm. Broderick asked if it was reasonable for a retiree to collect their pension, whatever they are entitled to, and also collect a salary if they come back to work.

Mr. Stephens clarified that it would ultimately be a Board decision, but he does not agree that it is reasonable. But in the case of an emergency, is there something written where there is a timeframe for when the retiree was retired or how long that they can be employed again.

Atty Jensen confirmed that there is no definitive timeframe for both requirements, other than in specific pension plans. She would argue that it is difficult to know whether a person's retirement is actually bona fide or if there were deals made behind closed doors.

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Comm. Broderick asked if this was being brought up because there was an issue.

Ms. Morris answered that it was something she and Ms. Harris needed clarification on, and that there is currently a retiree that is looking to come back to work for the City.

Ms. Harris agreed that as she is new in her position, both on the Board and at FPUA, she wants to bring the correct information back to her department heads and managers to make sure that FPUA is in compliance with the Plan.

Comm. Broderick said that he would be in support of an emergency provision that allows retirees to be rehired but is hesitant to leave it open to being extended past a determined amount of time.

Atty. Jensen did agree that the wording could be added into the language of the Plan as needed.

Ms. Harris asked for clarification about Section 265 saying that benefits are not suspended unless independent contracting commences more than 30 days after separation or with Retirement Board approval.

Ms. Morris explained that the premise that the pension benefit will be suspended holds true in every instance of rehire as of now.

Atty. Jensen agreed that it is very difficult for someone to meet every requirement outlined in the Plan. Usually there are one or two requirements that are not met. She asks if the Board would like to see a language change for this matter.

Ms. Morris declined to see the change. It is not a common enough request from retirees at the City or the FPUA.

Mr. MacCarthy opened the discussion on the report from GRS on the unfunded liability.

Mr. Stephens said he was surprised by the data. By implementing the 1% employee rate change and dedicating that 1% to the unfunded liability, the Fund would be 100% funded within 12 years if everything stayed the same. Even if markets change, and the payoff stretches to 20 years, it is still a benefit to the longevity of the Fund.

Mr. MacCarthy inquired if the changes made would affect those who have already retired.

Mr. Stephens confirmed it would not, but it would provide the funds for a 13th COLA check for retirees without compromising compliance with current COLA requirements. He reminds the Board that in the event that everything stays the same, the

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future Retirement Board members may decide to use that 1% extra to exclusively fund extra checks for retirees.

Comm. Broderick asked what the approval sequence would be for something like this.

Atty. Jensen informed him that it would need to be approved by the Retirement Board, go to the bargaining entities, Teamsters and PBA, for approval, and then it would go before the Commission.

Mr. Stephens said he did not think the bargaining employees would fight against the increase in contributions.

Ms. Morris brought the argument that there are many employees who would not want to give up 1% of their pay for something that is not guaranteed to drive the unfunded liability down. They could take that same 1%, put it into another supplementary plan and make more money to retire on versus what a possible COLA check would provide.

Mr. Stephens agreed, but he argued that not doing anything could make the unfunded liability worse. He has talked to people in other retirement systems where they are paying 10%+ of their pay into those systems. This 1% wouldn't necessarily need to be something that stays after the unfunded liability has been paid.

Ms. Morris reminded him that while 1% of their pay, personally, may not make much of a difference, there are people who get paid less that will see a change in their day-to-day life. When looking at the police, who have another pension that they have to pay into, it cuts into what they can take home to their families.

Mr. MacCarthy agreed. It would be a harder sell to the employees with the Police Department. The difference in adding the 1% contribution is only a year and a couple of months. He doesn't think that they will be interested enough to want to change without the guarantee of a COLA.

Mr. Stephens explained that looking at the actuarial study has shown what he perceives to be one of the worst years.

Ms. Morris reminded him that there were a lot of changes made to the benefits of the Plan in 2012, many of which are being changed back to how they were. The number of retirees is higher now than it was before, so there are more benefit payments being made. There have been a lot of down times in the market over the last 20 years, affecting the unfunded liability.

Mr. Stephens said he understands that there is no guarantee, but he wanted to make sure this report was done, and they came together as a Board to look at the possibilities. There have been people on the FPUA Board of Trustees who look at the amount the employers are paying and ask if this is truly a benefit. He agrees that it is, but he is concerned

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that people might look to reducing the contributions to the retirement system as a way to cut their budgets.

Ms. Morris reminded the Board that in the years 2009-2010, there were studies that were done to show why this Plan was a benefit to the City and there were changes made to accommodate some concerns with the benefits.

Mr. Stephens clarified that he's not pushing for this just for the possibility of a COLA, but for the overall health of the Plan. He is impressed with how long it will take to be 100% funded again.

Mr. MacCarthy said he could bring it to the next union meeting. He doesn't think he can convince the newer officers to contribute more than they already are, but he will talk to them.

Mr. Stephens agreed that he could bring this conversation to a Department Head meeting at FPUA to get a more comprehensive answer from UA members.

Atty. Jensen brought a piece of New Business that was not on the agenda. There is going to be a change of custodian from Truist to Principle. She asked if this was a transfer that the Retirement System was going to go with.

Ms. Morris confirmed that it was. She has reached out to Westin Lewis from Callan, and he is on board with it. She did receive the documents Atty. Jensen sent to be added into the contract as the changeover is processed.

Atty. Jensen informed that Board the SunTrust and Truist were no longer going to be in the custodian business and are transferring their clients to Principle.

Ms. Ryzewski asked when this change would be effective.

Atty. Jensen clarified that Principle is looking to make their first payment by December 2025. Retirees should be getting a letter in the mail in November informing them of the change in benefit payments.

ITEM NO. 9 ~ CONSENT AGENDA

A motion was made by Ms. Ryzewski and seconded by Ms. Morris to approve the consent agenda. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.

ITEM NO. 10 ~ CONSIDERATION OF ABSENCES

A motion was made by Comm. Broderick and seconded by Ms. Morris to excuse Comm. Gaines from this meeting. All those in favor of the motion signified by saying aye. There was no opposition, and the motion was carried unanimously.

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ITEM NO. 11 ~ BOARD MEMBER COMMENTS

Mr. Stephens asked if Mission Square was the only option for DROP.

Ms. Morris clarified that they have been the only option for as long as she is aware.

Mr. Stephens explained that it has been difficult for people to get ahold of their representative, even when meetings have been scheduled. He asked why there has not been another option or why employees cannot choose their investment firm themselves.

Atty. Jensen reminds him that the funds still technically belong to the Plan until the employees are officially retired, and this is the current company that they use to invest those funds.

Ms. Morris reminded the Board to get with the City's Pension Analyst, Anna Ward, if they are interested in going to the FPPTA.

ITEM NO. 12 ~ NEXT MEETING

Next meeting will be held Wednesday, September 17, 2025, at 2pm in the Commission Chambers at City Hall.

ITEM NO. 13 ~ ADJOURMENT

Seeing that there were no further questions or comments. **Mr. MacCarthy** adjourned the meeting at 3:12 pm.

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.