

City Of Port St. Lucie
Municipal Police Officers Retirement Trust Fund Board Of Trustees Special Meeting Minutes
January 13, 2025

1. CALL TO ORDER

A Special Meeting of the BOARD OF TRUSTEES of the MUNICIPAL POLICE OFFICERS RETIREMENT TRUST FUND was called to order by Secretary Pavlyshin on Monday, January 13, 2025, at 9:00 a.m., in the EOC Room, Building B, of Port St. Lucie City Hall located at 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. ROLL CALL

Members Present: Paul Griffith, Chairman
Tara Pavlyshin, Secretary/Trustee
Brian Reuther, Trustee
Carmine Izzo, Trustee

Members Not Present: Daniel Kleman, Trustee (excused)

Others Present: Bonni S. Jensen, Plan Legal Counsel, Klausner, Kaufman, Jensen & Levinson
Sandra H. Steele, Retirement Division Manager
Danneshia Brown, Retirement Analyst
Kim Sala, Human Resources Assistant Director
Richard Berrios, City Attorney
Stephen Okiye, Finance Director/Treasurer
Jennifer L'Heureux, Finance Manager
Various Police Officers
Richard Weiner, Attorney IUPA
Shanna Donleavy, Deputy City Clerk

3. PUBLIC COMMENTS

There were no public comments.

4. DISCUSSION ON REEMPLOYMENT WITH THE CITY OF PORT ST. LUCIE AFTER RETIREMENT

Chair Griffith explained the history of this item, which started two years ago. Bonni Jensen, Plan Legal Counsel, explained that the governing regulations, Pension Plan Document, State Law & the Internal Revenue Code, all had different sets of criteria for reemployment with the City after retirement. She gave the backstory on the sets of criteria and stated that the state did not recognize in service distribution and required some level of separation, which could be defined by the local level; it had to be a bona fide separation. She stated that the time of separation wasn't the biggest factor and explained why.

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Attorney Jensen advised the board that it was important to have a provision within the Pension Plan which describes how people will be treated, should they come back to employment. She explained that if no bona fide separation was reached there could be a 10% penalty on the person's early retirement.

Attorney Jensen and the Board explained how difficult it was to be a true independent contractor. She explained that the provided language was in many Florida Pension plans, and she could add a provision to define separation of service. The Board discussed examples of bona fide separations and gave examples of rehires losing earned benefits in the past, to which Attorney Jensen replied that losing city benefits and rehires were not Pension Plan issues, they were City issues. Richard Weiner, IUPA Attorney, stated that the City needed to determine definitions of rehire vs. new hire. Attorney Jensen informed the Board that she was adding language to treat people rehired as in-service distribution, which puts the responsibility onto the person & they may be liable to owe back taxes. Attorney Weiner and Kim Sala, Human Resources Assistant Director, discussed different positions within the City; Ms. Sala explained different bargaining units that governed civilian roles and added that some roles were appointed.

Richard Berrios, City Attorney, stated that certain circumstances may need involvement from other city departments but how would the Board flag suspicion on a case. The Board discussed when they should be alerted to rehires who applied, to which Attorney Jensen and Mr. Okiye stated that it should take place after the competitive process but before an offer is made. The Board discussed proposed language/criteria for the plan, they suggested that the language contains a 30-day minimum leave, a competitive process and must not be preordained. Sandra H. Steele, Retirement Division Manager, stated that she would add this item to be reviewed & discussed further on the March agenda.

5. UPDATE ON CURRENT JOB POSTING FOR THE PENSION COORDINATOR POSITION

Ms. Steele informed the Board that the position was posted on the seventh of January and would be up until filled. Trustee Reuther inquired if there were any applicants, to which Mr. Okiye replied that there were 13 applicants. Trustee Reuther questioned the City's internal application process, to which Ms. Sala replied that since it was contractual, City retirements would be lost as well as seniority. The Board and staff discussed the need for the position.

6. UPDATE ON NEW 2025 SOCIAL SECURITY BENEFITS FOR RETIREES

Attorney Jensen stated that the new law affected certain recipients in Social Security in the public sector (limited group); only applied if you did not contribute to Social Security through governmental employment. She gave the example of West Palm Beach Police Department.

Ms. Steele stated that the Pension Board elected positions would be open and hoped for an election in early March.

7. ADJOURN

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There being no further discussion, Trustee Reuther **moved** to adjourn the meeting at 10:14 a.m. Secretary Pavlyshin **seconded** the motion, which **passed unanimously** by voice vote.

Secretary Tara Pavlyshin

Shanna Donleavy, Deputy City Clerk