

MINUTES
REGULAR PENSION BOARD MEETING
CITY OF HOLLYWOOD EMPLOYEES' RETIREMENT FUND
TUESDAY, JANUARY 14, 2025 AT 9:00AM

1. CALL TO ORDER

Chair Shaw called the meeting to order at 9:15a.m.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Board Members present: Chair Phyllis Shaw, Vice Chair David Keller; Secretary Robert Strauss; Barbara Armand; Jeffrey Greene; and George Keller. Also present: Executive Director Christine Bailey; John DeMairo, Keith Reynolds, and Felicia Ewell of Segal Marco; and Ron Cohen of Lorium Law.

Trustees recognized the achievement of attaining \$500 million in assets under management and moving into the new Pension Offices. Trustees thanked all the staff of the Fund and the City who contributed to move to the new offices, especially the staff of the Departments of Design and Construction Management and Information Technology. The Board also welcomed John DeMairo, Chief Executive Officer of Segal Marco.

A. January 14, 2025 Regular Board Meeting Agenda

MOTION made by Trustee D. Keller, seconded by Trustee Greene to adopt the January 14, 2025 Regular Board Meeting Agenda. In a voice vote of the members present, all members voted in favor. **Motion** passed 6-0.

3. CONSENT AGENDA

- A. December 10, 2024 Annual Meeting Minutes
- B. Ratification of Distributions (Contributions and DROP) and Plan Expenses
- C. Approval/Ratification of New Retirements/DROP/Vested/Death Annuities

MOTION made by Trustee D. Keller, seconded by Trustee Strauss, to approve Consent Agenda Items 3a through 3c. In a voice vote of the members present, all members voted in favor. **Motion** passed 6-0.

4. FINANCIAL

A. Financial Reports and Investment Summary

Ms. Bailey provided the Preliminary December 2024 Financial Report and Investment Summaries. She also provided the Budget Variance Report as of December 31, 2024.

5. INVESTMENT (Keith Reynolds – Segal Marco)

A. Update of Segal Marco

Mr. Keith Reynolds reviewed the Segal Marco relationship with the Fund and history of the Fund's performance and diversification of assets. He discussed the upcoming investment opportunities for consideration at the next meeting. Mr. DeMairo reviewed the services provided and available through Segal.

B. November 2024 Flash Performance Report

Mr. Reynolds provided the Flash Performance Reports for November 2024. He noted that the Fund's market value of assets as of November 30, 2024 increased to \$501.9 million, a significant milestone for the Fund. He also noted that the estimated return for the Fund was up 2.4% net of fees for the month of November 2024, and up 1.0% net of fees for the fiscal year to date.

C. Third Quarter Performance Review

Mr. Reynolds reported the Fund's performance for the quarter ended September 30, 2024. He noted that the assets available for investments were \$474.3 million and performance was up 4.6% net of fees for the quarter. He noted that the fiscal year to date performance was 17.3% net of fees.

6. LEGAL (Ron Cohen – Lorium Law)

A. Legal Update

Mr. Cohen advised that there was a pending lawsuit between PTG and their subcontractor HrMecca and that both PTG and HrMecca have communicated with the Pension Office. He advised that the Plan had sought and received assurances from PTG, which Ms. Bailey believed were sufficient at this point. He advised that he would continue to monitor the litigation. Ms. Bailey advised that there was a dispute over the ownership of the core software used by the Plan's pension management system. Ms. Bailey advised that the CPMS design and development was complete, and she expected that PTG could provide the resources necessary to maintain the system.

Mr. Cohen advised that, in the Tisdale Ferguson case, the judge had set the trial for the two week period beginning July 7, 2025. He noted that the legal fees were being paid by the insurance company. Trustees requested a budget and expenditure report of legal fees to date in relation to the insurance limit.

Mr. Cohen advised that he had spoken to the attorney for Gina McDonald's appointed guardian several times and explained the Board's position. He advised that the attorneys stated that they would take the necessary steps but he had not heard back from the attorneys since then. He advised that a family member had been appointed her legal guardian in North Carolina.

Mr. Cohen advised that Brightwood had submitted a proposed change to the limited partnership agreement that extended the closing dates. He advised that Segal reviewed the request and advised that the proposed change was approved, signed, and returned to Brightwood.

Mr. Cohen advised that Nationwide had submitted a revised 401(A) summary plan document without an explanation of the revisions. He noted that the summary changes were not alarming and were related to loans, which are not permitted by COHERF's 401(A). He stated that he wanted to speak with Nationwide about the changes before signing off on the revised documents.

Mr. Cohen advised that there have been some changes to the law regarding contracting. He advice that contracting companies would have to represent that they do not use coercion for labor or services, and they would have to represent that they were not affiliated with a country of foreign concern as defined.

B. Member DROP Account Distribution and Monthly Benefit Payments

Mr. Cohen addressed the question whether Trustee Greene might have a conflict in voting on this issue. He advised that he consulted with the Interim City Attorney as the City's Code of Ordinances stated that any City board member who was unsure of a real or apparent conflict of interest on a matter scheduled before the Board should request the opinion of the City Attorney before the Board meeting. He advised that after extensive research and consultation with the Interim City Attorney, Damaris Henlon, her opinion was that Trustee Greene did not need to abstain but could do so if he chose to. Mr. Cohen advised that the question of conflict would arise at the exact time of the vote and the fact that there was no agreement between Trustee G. Keller and Trustee Greene regarding tax preparation, and after discussions with both Trustee G. Keller and Trustee Greene, he did not believe that Trustee Greene had a conflict at this time related to this matter. He also noted that Trustee Greene could abstain if he wanted to. He also noted that Trustee G. Keller had left the table and would speak as a member of the Plan.

Mr. Cohen summarized the member's request to receive the DROP account balance at this time and the matters to be considered by the Board related to the request. Member G. Keller explained his situation and the reason for his request.

The Board discussed the member's request at length.

MOTION made by Trustee D. Keller, seconded by Trustee Armand, to extend the meeting. In a voice vote of the members present, all members voted in favor. **Motion** passed 6-0.

Public Comments were made by Judith Mehrmann, Robert Klausner, Christopher O'Brien, Bette Gibson, and Alexander Stepanenko.

After discussion, the Board determined that it was best to address the issue from a Plan member perspective, and not a particular position. In an effort to act in the best interest and for the benefit of the members, the Board discussed drafting language to make it clear that every employee who completed DROP could receive their DROP distribution upon completion of the DROP.

MOTION made by Trustee D. Keller, seconded by Trustee Strauss, that the Board Attorney, in conjunction with the Executive Director, draft language that the Board could take to collective bargaining as a suggestion for incorporation into the Ordinance, that would have to go to the City Commission, that any employee at the completion of their DROP can get their DROP funds. In response to a question from Ms. Bailey, Trustee D. Keller advised that the language should include anyone over 59½ and that any tax consequences would be the member's choice to accept. Mr. Cohen confirmed with the Board that the proposed language included all DROP members. The Board discussed the retention of skilled employees and recommended that the language in the collective bargaining agreements that require members to leave at the end of their DROP participation be removed. In a roll call vote of the members present, all members voted in favor. **Motion** passed 5-0-1. Trustee G. Keller abstained (See Form 8B attached).

The Board requested a Special Meeting to review the draft language on January 30, 2025.

- C. Request for Executive Session to Discuss Pending Litigation
Mr. Cohen requested an Executive Session to discuss the pending lawsuit Virginia Tisdale-Ferguson v. Blanche T. Pressley and the Board of Trustees of the City of Hollywood Employees' Retirement Fund.

7. EXECUTIVE DIRECTOR'S REPORT

- A. City Commission Communication
The Board received the City Commission Communication, as amended.
- B. Pension Office Renovation Update
Ms. Bailey advised that the Pension Office had relocated to the New Offices at 2450 Hollywood Boulevard, Room 204. She advised that, with the exception of a few outstanding issues, the office is fully operational. She advised that the Office would completely vacate the Annex Building in February.
- C. Communications from the Executive Director
- Ms. Bailey advised that three candidates met the eligibility requirements of Employee Trustee and therefore an election would be held on February 4th on the 1st floor of City Hall with early voting in the new Pension Office from January 27th to January 31st.
 - Ms. Bailey advised that the tentative date for the new Pension Office Open House would be February 25th.
 - Ms. Bailey provided the DROP Participant List.

8. PUBLIC COMMENTS

There were no other public comments.

9. **TRUSTEE REPORTS, QUESTIONS AND COMMENTS**

Trustee Greene requested the agenda for the FPPTA Trustee School. Trustee G. Keller noted the service of Trustee Armand who would be retiring at the end of January. Trustee Armand expressed her appreciation to the Trustees. Trustee Shaw thanked the Trustees for their work, especially on complex issues. She also acknowledged the work of Trustee Armand on the Board.

10. **ADJOURNMENT**

MOTION made by Trustee Greene, seconded by Trustee D. Keller, to adjourn the meeting. In a voice vote by the members present, **Motion** passed 6-0. The meeting adjourned at 2:10p.m.



Phyllis Shaw, Chair

Date

2/25/2025

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Keller, George		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Hollywood Employees' Retirement Fund	
MAILING ADDRESS 2600 Hollywood Boulevard		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Hollywood	COUNTY Broward	<input checked="checked" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED January 14, 2025		NAME OF POLITICAL SUBDIVISION: Hollywood, FL	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="checked" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, George Keller, hereby disclose that on January 14, 20 25 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

An issue before the Board was whether I can receive certain benefits from the Fund, of which I am a member. My conflict was announced, I left the conference table, and spoke as an applicant about the matter. The Board decided not to vote on the issue, but to recommend to the union and the City the language of the pension plan be changed. I did not vote.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1-29-25
Date Filed

George R Keller
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.