

**RETIREMENT PLAN AND TRUST FOR THE GENERAL MANAGEMENT  
EMPLOYEES OF THE CITY OF NORTH MIAMI BEACH  
BOARD OF TRUSTEES MEETING  
WEDNESDAY, JANUARY 18, 2012**

1. **CALL TO ORDER:** The meeting was called to order at 4:14 p.m. in North Miami Beach City Hall, 17011 NE 19<sup>th</sup> Avenue, North Miami Beach, Florida.

2. **ROLL CALL:**

**TRUSTEES PRESENT:** Chairperson Darcee Siegel  
Secretary Mac Serda  
Trustee Marilyn Spencer  
Trustee Gary Wohlforth

**TRUSTEE ABSENT:** Trustee Lyndon Bonner

**ALSO PRESENT:** Brian O'Connor, Chief Procurement Officer  
Maria Salvatierra, Purchasing Supervisor  
Dustin Heintz, Administrator FLC  
Chuck Carr, Southern Actuarial Services

3. **APPROVAL OF MINUTES**

Members reviewed the minutes from the September 13, 2011 meeting.

*A motion was made by Trustee Wohlforth, and Seconded by Trustee Spencer to accept the minutes as presented. The motion passed unanimously.*

Members reviewed the minutes from the November 16, 2011 meeting.

*A motion was made by Trustee Serda, and Seconded by Trustee Spencer to accept the minutes as presented. The motion passed unanimously.*

4. **NEW BUSINESS**

a. Discussion of RFQ for Plan Attorney

Mr. O'Connor presented the Trustees with a recommended review process to rank responses for the Request for Qualifications for a plan attorney. Five responses submitted to the City by December 30, 2011 from the following firms: Ronald J. Cohen, P.A.; Cypen & Cypen, P.A.; Goren Cherof Doody & Ezrol, P.A.; Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.; and Sugarman & Susskind, P.A. Ms. Salvatierra briefly reviewed these companies indicating all are members of the Florida Bar Association and are legally registered to do business in the state of Florida. The Trustees discussed each

of their highest scoring firms and then submitted each scoring sheet to Mr. O'Connor for a composite ranking of each firm. The Trustees discussed how to proceed with interviews and determined to invite only the top ranking firm for a formal interview. Mr. O'Connor informed the Trustees that after tabulating all scores, Ronald J. Cohen, P.A. had the highest composite.

***A motion was made by Trustee Wohlforth and seconded by Trustee Spencer to invite Ronald J. Cohen, P.A. to the March 5, 2012 meeting for a formal interview. The motion passed unanimously.***

b. Discussion of Interest Calculation on Return of Employee Contributions

Mr. Heintz provided the Trustees with an overview on how the Administrator calculates interest on the return of employee contributions. Contributions for the current year are divided in half to get a basic average, to which the 3% interest is applied. An additional 3% is added to the balance as of the end of the previous year as well, to provide for annual compounding of interest. The interest calculation is also adjust if the employee leaves in the middle of the fiscal year as well. Mr. Carr provided information that this method is the standard method utilized by most all pension plans paying interest on return of employee contributions. The Trustees decided to take no further action at this time.

c. Presentation of October 1, 2011 Actuarial Valuation

Mr. Carr presented the Trustees with the actuarial valuation report and answered questions regarding changes to the report from the previous year. Mr. Carr and the Trustees also discussed the option of moving to a roll-forward report in which the city would use the current valuation for the following fiscal year rather than applying it to the current fiscal year. The Trustees discussed that since the report was just finished, approval of the report would be tabled until the next meeting to give sufficient time to review the report.

**5. REPORTS:**

Attorneys – No Report

Chairperson – Ms. Siegel requested the Administrator to add an agenda item to the next meeting to discuss the transfer of position for the new Finance Director Janette Smith and the current designee of the Finance Director, Secretary Serda.

Secretary – No Report

Administrator – Mr. Heintz presented the Board with information regarding the fiduciary insurance policy for the other city pension plans. The Trustees agreed to have Mr. Heintz receive quotes from multiple firms for multiple coverage amount to be presented at the next scheduled meeting for review.

Mr. Heintz provided the Trustees with a review of the forfeiture of pension assets by Mr. Martin King. According to Florida statutes, Mr. King forfeited his pension but is legally still due to receive a return of employee contributions. Mr. Heintz informed the Trustees that the Administrator identified the employee contributions as \$25,897.30 from the original 401 plan rolled into the current plan, as well as \$56,828,21 in employee salary contributions to the current plan for a total of \$82,725.51. Since the IRS views the return of employee contributions as a taxable action, an amount of 20% withholding will be remitted to the IRS. Mr. King and the City have agreed to leave remainder of these funds in the plan assets.

**6. NEXT MEETING:**

The next regular meeting is scheduled for **Monday, March 5, 2012** at 6:00 p.m. in a location to be announced.

**7. ADJOURNMENT:**

With no further business before the Board, the meeting adjourned at 5:55 p.m.



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Secretary Mac Serda

9.10.12

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Date