

## MINUTES

### POLICE OFFICERS' & FIREFIGHTERS' RETIREMENT COMMITTEE SPECIAL MEETING

MONDAY - DECEMBER 29, 2014 - 9:00 AM

#### PRESENT

Sgt. Leo Socorro – Chair  
(Ret) Chief Linda Loizzo  
Councilwoman Beth Spiegel  
Sgt. Mo Asim  
Mayor George Vallejo

#### ALSO PRESENT

Martin Lebowitz – Pension Administrator  
Renaldo Gayle – Asst. Pension Admin.

#### ABSENT

#### DEPARTMENT REPRESENTATIVES

#### I. ROLL CALL

The meeting was called to order at 9:28 a.m. by Trustee Leo Socorro, followed by a roll call of the Trustees by Martin Lebowitz.

#### II. PUBLIC COMMENTS

The President of the Union, Officer Joe Romero spoke on behalf of the members. He stated that they wanted to thank the three trustees (Linda Loizzo, Leo Socorro and Mo Asim) for their dedication and support as board members. He then questioned the tactics of the city in suing these three individuals. He said the approach being used with the suit and the pension reform is insulting to the members and they are unhappy.

Former union representative Tony Loizzo also spoke about his disappointment regarding the suit and pension reform. He provided a brief history of how things were handled when he was directly involved and how negotiations once occurred.

#### III. CITY OF NORTH MIAMI BEACH VERSUS POLICE & FIRE RETIREMENT COMMITTEE

Bob Sugarman stated that the city is not only suing the retirement committee as a whole but suing Trustees Loizzo, Socorro and Asim for not implementing Ordinance 2013-20. The city claims to have lost \$800,000 and is seeking to recover the funds not only from the pension fund, but also from the three trustees individually. Bob stated that he has been granted additional time by the city to respond. The response time has been extended from 20 to 40 days. This provides a new deadline of February 2<sup>nd</sup>.

Mr. Sugarman then went on to remind the board of the regulations of the Sunshine Law and requested four shade meetings. He added that the purpose of these meetings is to discuss

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litigation expenditures. Mr. Sugarman stated that he anticipates the first meeting to be held on January 6<sup>th</sup> and the matters to be addressed are litigation expenditures, specifically the engagement of an attorney and the fees associated. Also, to address whether the three individual defendants will be seeking their own attorneys since they have the right to do so. He asked the three defendant trustees to let him know privately and individually if there are any attorneys that they are considering in order for him to reach out to them. This would allow a decision to be made by the trustees at the shade meeting regarding the attorneys of their choice.

Sgt. Mo Asim asked Mr. Sugarman if there was a specific dollar amount that the city is suing the three trustees for and if so, what is that amount. Bob's response was that it depends how the court makes the decision because the suit is seeking to recover the funds from the board in its entirety and also the three individual trustees. Trustee Asim also asked if the three individuals are entitled to a shade meeting. Bob answered "yes". The second series of shade meetings will open with a public meeting in which the attorney will be engaged once they have been chosen at the first shade meetings. This second meeting would be a meeting between the trustees and their chosen attorneys.

Trustee Linda Loizzo asked Mr. Sugarman who instructed the city attorney to sue the three individual members. Mr. Sugarman's response was that the instruction from the Council meeting was to sue the retirement committee as an entity. He said that he asked the city attorney if the suit against the individual members was also the intent of his client. The response was yes.

Trustee Loizzo requested that additional research be conducted by Mr. Sugarman to find out who instructed the city attorney to sue her directly. Mr. Sugarman said that Mr. Smith told him that his clients were aware that the City was suing the 3 individual trustees. Trustee Loizzo also asked Marty Lebowitz to find out who authorized the suit against individual trustees since the answer given to Mr. Sugarman was not consistent with the instructions given to the city attorney at the council meeting.

Trustee Loizzo asked Bob to research the following question: Can an individual city council member sue individuals based upon the authorizations of individuals not in a public meeting?

After discussion, motion by Trustee George Vallejo, seconded by Trustee Mohammad Asim to authorize the chairman to move forward with scheduling the necessary Shade meetings.

Motion carried unanimously

**IV. ASST. PENSION ADMIN. CONTRACT – RATIFICATION OF HEALTH INSURANCE**

Chairman Socorro mentioned to the board that he met with Chairwoman Lori Helton of the General Retirement Committee and Renaldo Gayle. A decision was reached that both boards will pay for Single-Plus-One coverage up to \$8,000 annually. He added that a motion was needed make this change since it was different from the decision reached at the previous meeting.

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Motion by Trustee Beth Spiegel, seconded by Trustee Mohammad Asim to pay up to \$8,000 annually (\$4,000 per board) for Single-Plus-One Health Insurance coverage.

Motion carried unanimously

The next scheduled meeting is on February 24, 2015. Meeting was adjourned at 10:37 a.m.

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**Renaldo Gayle, Asst. Pension Administrator**