

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, September 8, 2016

9:00 AM

Council Chambers - City Hall

Pension Advisory Committee

Roll Call

Present 7 - Chair Nathan Hightower, Vice Chair Tom Jensen, Committee Member Bill Jonson, Committee Member Hoyt Hamilton, Committee Member Greg Newland, Committee Member Bob Cundiff, and Committee Member Diane Devol

Also Present- Joe Roseto – Human Resources Director, Nicole Sprague – Official Records and Legislative Services Coordinator

1. Call To Order

The Chair called the meeting to order at 9:00 a.m. at City Hall.

To provide continuity for research, items are in agenda order although not necessarily discussed in that order.

2. Approval of Minutes

- 2.1** Approve minutes of August 11, 2016 Pension Advisory Committee meeting as submitted in written summation.

Member Jonson moved to approve minutes of August 11, 2016 Pension Advisory Committee meeting as submitted in written summation. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda: None**4. New Business Items**

- 4.1** Recommend approval of the new hires for acceptance into the Pension Plan as listed.

Name, Job Classification, Department	Pension Eligibility Date
Emmanuel Corujo, Police Officer, Police Department	08/08/2016
Efrain Andino, Gas Technician I, Gas Department	08/08/2016
Kevin Nichols, Gas Technician I, Gas Department	08/08/2016
Anthony Mauri, Fleet Mechanic, General Services Department	08/08/2016
Keith Farrington, Electrical Supervisor, General Services Department	08/08/2016
Lawrence Flory *, Police Communications Operator Trainee, Police	08/22/2016
Donald Robinson, Gas Technician I, Gas Department	08/22/2016
Stephon Byrd, Solid Waste Equipment Operator, Solid Waste	08/22/2016
Richard Rios, Solid Waste Equipment Operator, Solid Waste	08/22/2016
Bryant Wilson, Solid Waste Equipment Operator, Solid Waste	08/22/2016
Andrew Bassant, Parks Service Technician I, Parks and Recreation	08/22/2016

* Lawrence Flory was employed in part time temporary positions from June 2 to December 12, 2014

and March 22 to August 19, 2016. He was hired into a full time position on August 22, 2016 and will be eligible for pension as of August 22, 2016.

Member Jensen moved to recommend approval of the new hires for acceptance into the Pension Plan as listed. The motion was duly seconded and carried unanimously.

- 4.2** Recommend approval of the following request of employees Allison Cox, Parks and Recreation Department, Suzanne Hamilton, Library Department and Barry LeCavalier, Public Utilities Department, to vest their pensions as provided by Section 2.419 of the Employees' Pension Plan.

Allison Cox, Parks Service Technician II, Parks and Recreation Department, was employed by the City on December 15, 2003, and began participating in the Pension Plan on that date. Ms. Cox terminated from City employment on May 12, 2016.

Suzanne Hamilton, Sr. Library Assistant, Library Department, was employed by the City on January 27, 2001, and began participating in the Pension Plan on that date. Ms. Hamilton will terminate from City employment on September 30, 2016.

Barry LeCavalier, Senior Utilities Chemist, Public Utilities Department, was employed by the City on July 11, 2005, and began participating in the Pension Plan on that date. Mr. LeCavalier terminated from City employment on August 26, 2016.

The Employees' Pension Plan provides that should an employee cease to be an employee of the City of Clearwater or change status from full-time to part-time after completing ten or more years of creditable service (pension participation), such employee shall acquire a vested interest in the retirement benefits. Vested pension payments commence on the first of the month following the month in which the employee normally would have been eligible for retirement.

Section 2.416 provides for normal retirement eligibility for non-hazardous duty employees hired prior to the effective date of this reinstatement (1/1/13), a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of fifty-five (55) years and completed twenty (20) years of credited service; the date on which a participant has reached age sixty-five (65) years and completed ten (10) years of credited service; or the date on which a member has completed thirty (30) years of service regardless of age. For non-hazardous duty employees hired on or after the effective date of this restatement, a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of sixty (60) years and completed twenty-five (25) years of credited service; or the date on which a participant has reached the age of sixty-five (65) years and completed ten (10) years of credited service.

Ms. Cox will meet the non-hazardous duty criteria and begin collecting a pension in January 2024. Ms. Hamilton will meet the non-hazardous duty criteria and begin collecting a pension in August 2018. Mr. LeCavalier will meet the non-hazardous duty criteria and begin collecting a pension in December 2033.

Member Jensen moved to recommend approval of the following request of employees Allison Cox, Parks and Recreation Department, Suzanne Hamilton, Library Department and Barry LeCavalier, Public Utilities Department, to vest their pensions as provided by Section 2.419 of the Employees' Pension Plan. The motion was duly seconded and carried unanimously.

- 4.3** Recommend approval of the following request of employees Carlos Lang, Police Department, Leonard Melanson, Fire Department, Daniel Rozzi, Police Department, Nancy Scott, Planning and Development and John Witkowski, Planning and Development for a regular pension as provided by Sections 2.416 and 2.424 of the Employees' Pension Plan.

Carlos Lang, Police Officer, Police Department, was employed by the City on March 15, 1991, and his pension service credit is effective on January 8, 1994. His pension will be effective September 1, 2016. Based on an average salary of approximately \$80,992.31 over the past five years, the formula for computing regular pensions and Mr. Lang's selection of the 10 Certain and Life Annuity with a 30% Partial Lump Sum, this pension benefit will be approximately \$35,257.44 annually.

Leonard Melanson, Firefighter/Driver-Operator, Fire Department, was employed by the City on April 28, 1997, and his pension service credit is effective on that date. His pension will be effective May 1, 2017. Based on an average salary of approximately \$69,016.57 over the past five years, the formula for computing regular pensions and Mr. Melanson's selection of the 100% Joint and Survivor Annuity, this pension benefit will be approximately \$37,315.80 annually.

Daniel Rozzi, Police Officer, Police Department, was employed by the City on March 7, 1994, and his pension service credit is effective on that date. His pension will be effective October 1, 2016. Based on an average salary of approximately \$78,977.45 over the past five years, the formula for computing regular pensions and Mr. Rozzi's selection of the 50% Joint and Survivor Annuity, this pension benefit will be approximately \$50,143.56 annually.

Nancy Scott, Senior Staff Assistant, Planning and Development Department, was employed by the City on April 2, 1981, and her pension service credit is effective on October 13, 1993. Her pension will be effective September 1, 2016. Based on an average salary of approximately \$45,750.95 over the past five years, the formula for computing regular pensions and Ms.

Scott's selection of the Life Annuity, this pension benefit will be approximately \$28,776.72 annually.

John Witkowski, Building Construction Inspector, Planning and Development Department, was employed by the City on April 18, 1994, and his pension service credit is effective on April 19, 1994. His pension will be effective October 1, 2016. Based on an average salary of approximately \$59,523.36 over the past five years, the formula for computing regular pensions and Mr. Witkowski's selection of the Life Annuity with a 30% Partial Lump Sum, this pension benefit will be approximately \$25,726.92 annually.

Section 2.416 provides for normal retirement eligibility for non-hazardous duty employees hired prior to the effective date of this reinstatement (1/1/13), a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of fifty-five (55) years and completed twenty (20) years of credited service; the date on which a participant has reached age sixty-five (65) years and completed ten (10) years of credited service; or the date on which a member has completed thirty (30) years of service regardless of age. For non-hazardous duty employees hired on or after the effective date of this restatement, a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of sixty (60) years and completed twenty-five (25) years of credited service; or the date on which a participant has reached the age of sixty-five (65) years and completed ten (10) years of credited service. Ms. Scott and Mr. Witkowski have met the non-hazardous duty criteria.

Section 2.416 provides for normal retirement eligibility for hazardous duty employees, a member shall be eligible for retirement following the earlier of the date on which the participant has completed twenty (20) years of credited service regardless of age, or the date on which the participant has reached fifty-five (55) years and completed ten (10) years of credited service. Mr. Lang, Mr. Melanson and Mr. Rozzi have met the hazardous duty criteria.

Member Newland moved to recommend approval of the following request of employees Carlos Lang, Police Department, Leonard Melanson, Fire Department, Daniel Rozzi, Police Department, Nancy Scott, Planning and Development and John Witkowski, Planning and Development for a regular pension as provided by Sections 2.416 and 2.424 of the Employees' Pension Plan. The motion was duly seconded and carried unanimously.

4.4 Informal hearing for Darcy Hunt for job-connected disability pension

Human Resources Manager Joe Roseto said Darcy Hunt, a Police Officer, had applied for a job-connected disability pension. He reviewed Code requirements. No preexisting conditions existed. Staff supported the application.

Member Jonson moved to accept into evidence the entire file of records for Darcy Hunt. The motion was duly seconded and carried unanimously.

Tonya Oliver, attorney for Darcy Hall, said Ms. Hall was hired by the City as a Police Officer on July 25, 2005. She said following her arrest of 2 individuals on October 9, 2012, Ms. Hall began having tingling in her hand and missed 2 weeks of work. She said medical tests could not find an obvious reason for the sensations and Ms. Hall was referred to her treating neurologist, who diagnosed the condition as being exacerbated by stress and anxiety and secondary to PTSD (Post Traumatic Stress Disorder). She said the other IME (Independent Medical Exam) doctor who examined Ms. Hall passed away the weekend after the examination and did not provide a report. She said IME Dr. Martinez issued a qualifying letter and diagnosed Ms. Hall as being totally and permanently disabled and that the disability was work related.

In response to a question, Mr. Roseto said Dr. Martinez had submitted the only IME report.

In response to a question, Ms. Olivier said Ms. Hall had a complete workup and was diagnosed with peripheral neuropathy, which was the basis for the disability application.

Discussion ensued. It was stated the IME was clear and Ms. Hall met the qualifications for a disability pension.

Member Hamilton moved that based on evidence presented and in the record and testimony presented, to approve the job-connected disability pension for Darcy Hunt. The motion was duly seconded and carried unanimously.

In response to a question, Mr. Roseto said the Pension Plan attorney had chosen the IME doctor. It was noted that Dr. Martinez's style was much more casual and this IME differed significantly from previous IMEs. Mr. Roseto said IME doctors were obligated to review all medical information.

4.5 Review revised PAC Policy and Procedures Manual.

Mr. Roseto distributed the revised PAC Policy and Procedures Manual, which had been emailed to the members. Vesting and administrative rules were not discussed at last month's meeting. Member Jensen, who was absent last

month, emailed information that also was distributed.

Senior Pension Payroll Analyst Jennifer Moulton reviewed Florida Statutes and IRS regulations that affected vested rights and distribution of pension contributions and discussed procedures.

Discussion ensued re procedures for Citizens to be Heard.

Recommendations were made to eliminate the PAC election committee, turn the election over to the Clerk's Department, and to extend member terms from 2 to 4 years. It was questioned who determined forfeitures. Mr. Roseto said the procedure and terms were codified in Code. He reviewed procedures to change the Code and indicated he would discuss the issues with the Pension Attorney for recommendations and clarification. It was recommended that decorum language be added should someone be unruly.

Support was expressed for longer terms, especially since the position required continuing education.

Mr. Roseto said staff will make recommended change and distribute the amended draft before next month's meeting.

5. Old Business Item: None.

6. Director's Report: None.

7. Board Members to be Heard: None.

8. Adjourn

The meeting adjourned at 10:10 a.m.

Attest:

Chair
Pension Advisory Committee

Board Reporter