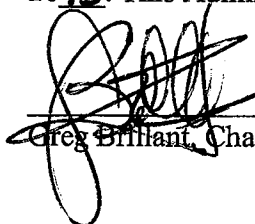


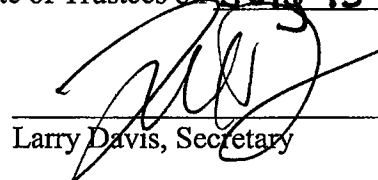
Policy #1
Subject: Forfeitures
Year: 2002

**BOARD OF TRUSTEES  
DAVIE POLICE PENSION FUND  
ADMINISTRATIVE RULE GOVERNING FORFEITURE PROCEEDINGS**

1. Florida Statute §112.3173 governs the forfeiture of pension benefits of public officers and employees when convicted of certain specified offenses which constitute a breach of the public trust. The statute provides that any public officer or employee who is convicted of a specified offense committed prior to retirement, or whose office or employment is terminated by reason of his or her admitted commission, aid, or abetment of a specified offense, shall forfeit all rights and benefits under any public retirement system of which he or she is a member, except for the return of his or her accumulated contributions as of the date of termination.
2. The Board shall follow the procedure outlined in Florida Statute §112.3173 regarding the initiation of forfeiture proceedings against members convicted of specified offenses. However, the statute does not address the procedure to be employed by the Board in instances where the member has been charged with a crime, and prior to conviction, has filed an application for retirement with the Board. The Board has the authority to adopt this administrative rule addressing the procedure to be followed in this circumstance.
3. When a member has filed a retirement application, and evidence has been brought to the Board's attention that the member has been charged with a specified offense, the Board shall vote at the next regularly scheduled meeting to either defer acting on the retirement application until the criminal case is resolved, or, if the member so chooses, to allow the member to continue to receive an amount equal to their employee contributions and defer acting on all other amounts until resolution of the criminal case. Should it be determined that the member has been convicted of a specified offense in violation of Florida Statute 112.3173, the Board shall initiate forfeiture proceedings at that time. If the member is not convicted of a specified offense, the Board shall act on the retirement application of the member.
4. The Board of Trustees reserves the right to amend this Administrative Rule from time to time as it deems appropriate. ~~The Board shall retain the right to exercise its discretion in interpreting this Rule and in resolving any disputes that may arise hereunder.~~

This Administrative Rule was previously approved by the Board. This Administrative Rule was reviewed by the Board of Trustees at a public hearing, following proper notice, on July 13, 2015. This Administrative rule was adopted by vote of Trustees on July 13, 2015.

  
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Greg Brilliant, Chairman

  
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Larry Davis, Secretary

Policy #2
Subject: Accumulated Leave & DROP
Year: 2006

**BOARD OF TRUSTEES**  
**DAVIE POLICE PENSION PLAN**  
**ADMINISTRATIVE RULES GOVERNING ACCUMULATED LEAVE**  
**TRANSFERS INTO DROP PLAN**

**Background:**

With the adoption of Ordinance No. 2006-2, DROP participants shall be subject to a Town contribution to the member's DROP account derived from the member's accumulated leave balances, subject to the provisions of the IRS Code and the provisions of this Rule. Ordinance No. 2006-2, empowers the Pension Board with rule making authority to implement the provisions of the pension plan.

In accordance with the Pension Board's administrative authority, the Pension Board adopts the following rules governing transfers of accumulated leave balances into DROP accounts.

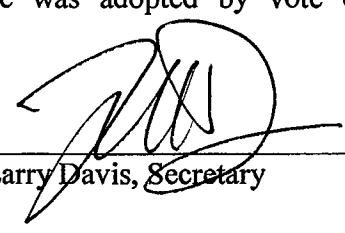
1. Section 4.3.5(c): Section 4.3.5(c) of the Pension Plan governs the transfer of Accumulated Leave into a member's DROP account and provides for the transfer of accumulated vacation, holiday and sick time in excess of four hundred and eighty (480) hours per year.
2. Mandatory transfer: Effective November 1, 2006, all members electing to participate in the DROP program shall uniformly be required to transfer any accumulated leave balances above four hundred and eighty (480) hours into the member's DROP account on an annual basis, subject to the annual limit for an employer contribution to a defined contribution retirement plan as set forth in the applicable provisions of the Internal Revenue Code and the regulations of the Department of the Treasury.
3. Single year transfer: The Town shall contribute to the member's DROP account, in the first year of DROP participation only, an amount equal to the member's balance of all accumulated leave in excess of 480 hours, not to exceed the maximum contribution to a defined contribution retirement plan as permitted by the applicable provisions of the Internal Revenue Code and the regulations of the Department of the Treasury.
4. IRS limits: As required by Section 415 of the IRS Code, the annual value of transferred accumulated leave balances shall not exceed the maximum limit permitted by the IRS Code, as permitted in the year in which the member enters DROP.

5. Accumulated leave balances in excess of IRS limits: If the value of the member's accumulated leave balance exceeds the annual IRS limit, the Town shall only transfer the value of the applicable IRS limit for the first year of DROP participation. The remaining balance shall be retained by the member and paid upon separation in accordance with then applicable Town personnel policy and any applicable collective bargaining agreement.
6. Accumulated leave balance less than maximum IRS limits: If a member's accumulated leave balance as of the date of entry into DROP is less than the applicable IRS limit, the full value of the member's accumulated leave account, except for the 480 hour minimum set forth above, shall be transferred.
7. Deduction from leave accounts: Leave accounts shall be debited in the following order, subject to the 480 hour minimum required balance form all leave accounts in the aggregate and the maximum employer contribution to a defined contribution plan permitted by federal tax law:
  - a) Holiday pay
  - b) Vacation leave
  - c) Sick time
8. Amendments: This rule shall be subject to amendment as necessary to maintain the qualified status of the Plan. By participating in DROP, all members consent to any such amendment as may be required to maintain compliance with federal tax laws.

This Administrative Rule was previously approved by the Board. This Administrative Rule was reviewed by the Board of Trustees at a public hearing, following proper notice, on

July 13, 2015  
July 13, 2015

  
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Greg Brilliant, Chairman

  
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Larry Davis, Secretary

**BOARD OF TRUSTEES**

**DAVIE POLICE PENSION PLAN**

**ADMINISTRATIVE RULES GOVERNING TIMING OF  
DROP ACCOUNT DISTRIBUTIONS**

**Background:**

1. Section 4.3.2 of the Pension Plan governs the written election requirement to participate in the Davie Police DROP program. Section 4.3.2 provides as follows:

A member electing DROP participation shall execute such forms as the Board of Trustees shall require. The DROP election shall be effective on the first day of the month following the date of election. Applications must be filed with the Board (with a copy being provided to the Town) not less than five (5) business days prior to the effective date.

2. Section 4.3.9(a) of the Pension Plan governs the termination of participation in the DROP program. Section 4.3.9(a) provides as follows:

Upon termination of employment for any reason, DROP participation shall cease and any future retirement benefits shall be paid directly to the member, or in the case of death to the designated beneficiary.

3. In accordance with the Pension Board's administrative authority set forth in Section 9.1(b)(4) of the Pension Plan, the Pension Board adopts the following rules governing the timing of DROP account calculations and distributions:

**DROP termination:**

- (a) **DROP participants are encouraged to notify the Pension Board prior to a member's separation from service. Upon notification that a DROP participant will be separating from service, the Pension Administrator shall notify the Town and the Board's actuary of the anticipated termination date.**
- (b) **DROP termination shall be effective on the last day of the calendar month coincident with or next following the actual date of employment termination.**
- (c) **In the event that a DROP participant separates from service prior to the end of the month, the official date of DROP termination shall be the last day of the calendar month coincident with or next following the actual date of employment termination, as set forth above.**
- (d) **DROP account balances shall be credited with investment earnings or losses**

on a monthly basis, until the DROP account balance has been distributed to the DROP participant.

- (e) Due to the work involved in determining the Pension Fund's monthly rate of return based on third party data supplied by the Pension Fund's investment consultant and custodian, the member's actual DROP account balance will generally not be available until approximately one month after the date of separation. After the account balance has been determined, the member shall be provided with the account balance, as calculated by the Board's actuary.

4. The Board of Trustees reserves the right to amend this Administrative Rule from time to time as it deems appropriate. The Board shall retain the right to exercise its discretion in interpreting this Rule and in resolving any disputes that may arise hereunder.

This rule was considered by the Board of Trustees at a public hearing, following proper notice, on May 15, 2007. The Administrative Rule was adopted by vote of the Trustees on May 15, 2007.

  
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Chairman

  
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Secretary

**BOARD OF TRUSTEES**

**DAVIE POLICE PENSION PLAN**

**ADMINISTRATIVE RULES GOVERNING DROP ACCOUNT  
DISTRIBUTION OPTIONS**

1. Background: Section 4.3.9 of the Pension Plan governs the DROP payout. Section 4.3.9(b) provides as follows:

Payment shall be made from the DROP account no more than ninety (90) days after separation from the Town. The form of payment may be altered upon written notice to the Board to take effect not more than ninety (90) days from the date of the notice. Payment shall be made:


- i. in a single lump sum;
  - ii. in annual installments;
  - iii. in equal monthly installments;
  - iv. any combination of lump sum and periodic payments;
  - v. by rollover to another qualified plan.
2. Section 828 of the Pension Protection Act of 2006 amended Section 72(t) of the Internal Revenue Code to waive the 10% early distribution penalty for public safety officers who have separated from service after age 50.
3. In accordance with the Pension Board's administrative authority set forth in Section 9.1(b)(4) of the Pension Plan, the Pension Board adopts the following rules governing the DROP account distributions options:

**DROP PAYOUT:**

- (a) Within ninety (90) days of separation from the Town, DROP participants are required to select a method of DROP distribution.
- (b) Other than minimum required distributions governed by the Internal Revenue Code, DROP participants shall be permitted to delay DROP distribution, so long as they elect to do so in writing, on a form prepared by the Board and provided that they take a partial distribution of at least ten dollars (\$10).
- (c) Should a DROP participant who has separated from service elect to delay DROP account distribution, the retiree shall acknowledge that he or she agrees to hold the Board of Trustees and the Town free from any liability claims associated with investment losses which may occur in the ordinary course of the investment of plan assets.

- (d) DROP participants who have separated from service shall be charged the same monthly administration fee charged to actively employed DROP participants.
4. DROP participants shall be required to acknowledge and agree to hold harmless the Board and the Town, their officers, employees and agents from any claim arising out of the decision to participate in DROP, including but not limited to investment losses or adverse tax consequences.
5. The Board of Trustees reserves the right to amend this Administrative Rule from time to time as it deems appropriate. For this reason, DROP distribution procedures shall not be treated as a permanent entitlement or vested benefit. The Board shall retain the right to exercise its discretion in interpreting or revising this Rule and in resolving any disputes that may arise hereunder.

This rule was considered by the Board of Trustees at a public hearing, following proper notice, on March 18, 2008. The Administrative Rule was adopted by vote of the Trustees on March 18, 2008.

  
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Chairman

  
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Secretary

Policy #5
Subject: Buyback & Permissive Service
Year: 2012

**BOARD OF TRUSTEES**

**DAVIE POLICE OFFICERS PENSION PLAN**

**ADMINISTRATIVE RULES REGARDING MILITARY BUYBACKS, PRIOR POLICE SERVICE BUYBACKS, AND PERMISSIVE SERVICE CREDIT**

1. Section 1.28 of the Plan governs the purchase of military and police buyback as follows:

Participants may buy back up to four (4) years of service for the purposes of retirement. This service may have been in the form of previous military or police (law enforcement service) with any State, Municipal, or Federal agency. Total buy back shall not exceed four (4) years.

All cost of the buy back shall be determined by the Pension Board's actuary and such cost shall be borne by the affected employee(s). The actuary will base the cost on the actuarial equivalent of the buy back.

The Pension Board may permit the buy back in either lump sum or over a multi-year time frame not to exceed five (5) years and not to extend past the Participant's retirement date. If the Participant buys back over a period of time, additional interest at the rate the plan earns will continue to accrue on the unpaid balance.

A Participant shall not be deemed vested until the completion of ten (10) years of actual service as a sworn police officer with the Town.

2. Section 3.1(b)(4) of the Plan governs the purchase of permissive service credit and provides in relevant part as follows:

Upon vesting, Participants shall be permitted to purchase permissive service credit, applied as an increased benefit accrual factor ("multiplier") as set forth below. The increased multiplier may be purchased in one percent (1%) increments in an amount not to exceed twenty percent (20%) of Final Average Earnings.

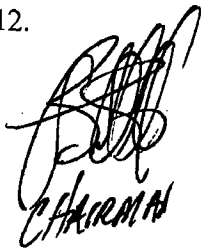
...Additionally, vested Participants shall be permitted to purchase permissive service credit expressed as an earlier normal retirement date.

Permissive service credit shall not be granted until the Participant has paid to the Pension Fund the actuarial cost of the purchase, as determined by the actuary for the Plan. The Board shall establish a uniform rule for the implementation of this provision.



3. In accordance with the Pension Board's administrative authority set forth in Section 9.1(b)(4) of the Plan, the Pension Board adopts the following rules governing actuarial calculations for military buyback, prior police buyback, permissive service credit and divorce proceedings:
4. Prior service and permissive service shall not be granted until the Participant is fully vested and has paid to the Plan the actuarial cost of the service purchased, as determined by the actuary. Participants purchasing military service credit shall provide the Board of Trustees with proof of prior service with honorable separation from the military. No prior police service credit may be purchased if the Participant is receiving or will receive any other retirement benefit based on the purchased service. Buyback purchases may be funded with a rollover from another qualified plan.
5. A Participant who terminates service prior to vesting in the Plan shall be entitled to a refund of all sums paid to buyback prior military or police service, without interest.
6. Participants will not be billed for the actuary's cost of calculating one buyback, permissive service or divorce calculation. A Participant's buyback request may contain any combination of military or prior police service. Participants shall be billed, based on the actuary's standard fee schedule, for subsequent calculations following a Participant's free initial request.
7. Prior to processing an initial request, the Participant shall be informed that Participants are required to pay all charges by the actuary of any subsequent actuarial calculations. Following the initial request, Participants shall be required to prepay the actuary's fee for actuarial calculations for all subsequent calculation requests. There shall be no charge for the final retirement calculation by the actuary, upon the submission by a Participant of a retirement application in the ordinary course.
8. This rule shall operate prospectively. All Participants are entitled to one free actuarial calculation request following the effective date of the Administrative Rule.

This rule was considered by the Board of Trustees at a public hearing, following proper notice. The Administrative Rule was adopted by vote of the Trustees on August 07, 2012, 2012.

  
CHAIRMAN

Policy #6
Subject: COLA
Year: 2015

**BOARD OF TRUSTEES**

**DAVIE POLICE PENSION PLAN**

**ADMINISTRATIVE RULES REGARDING COLA BENEFITS**

1. Section 3.2.1 of the Plan governs Cost of Living Adjustments (hereinafter "COLA"). For members who retire on or after October 1, 1997, Section 3.2.1(a) of the Plan provides for the following COLA benefit:

a two percent (2%) annual cost of living adjustment (i.e., two percent (2%) of the employee's initial retirement benefit (i.e., Form of Payment) as set forth in Article 3 of the Plan) which shall be added to their existing retirement benefit (i.e., Form of Payment) commencing on the Effective Date (as defined in section (c) below). They shall receive an additional compounded two percent (2%) annual cost of living adjustment (i.e., two percent (2%)) of their initial retirement benefit (i.e., Form of Payment) which shall be a maximum of thirty percent (30%) greater than their initial retirement benefit (i.e. Form of Payment). After having reached the thirty percent (30%) cost of living adjustment cap, the retiree shall receive no further cost of living adjustments but shall continue to receive the enhanced retirement benefit (i.e. the initial retirement benefit (i.e., Form of Payment) plus the thirty percent (30%) adjustments received) each month thereafter.

2. Section 3.2.1(c) of the Plan sets a COLA effective date as follows:

The Effective Date of the cost of living adjustment benefits shall be dependent upon the employee's date of retirement.

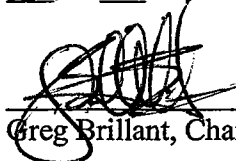
1. For Plan Participants who retired prior to October 1, 1999, the Effective Date is November 1, 2004.
  2. For Plan Participants who retire on or after October 1, 1999, the Effective Date is the first (1<sup>st</sup>) day of the sixty-first (61<sup>st</sup>) month following their Normal or Delayed Retirement Date.
3. Section 3.2.1(d) of the Plan provides for payment of COLA benefits to beneficiaries as follows:

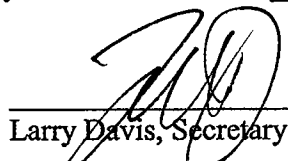
The cost of living adjustments for a surviving spouse claiming benefits of a Plan Participant shall be calculated based on the deceased Plan Participant's initial Form of Payment plus any and all

cost of living adjustments received before the retiree's death.

4. Section 1.19 of the Plan defines Participant, where the context so indicates, as including "persons claiming benefits accrued by a Participant."
5. For purposes of providing actuarially equivalent benefits under the COLA, the Board interprets the term "Plan Participants" as including all joint annuitants and beneficiaries, not limited to spouses.
6. For purposes of calculating the 30% COLA cap, the COLA shall continue to be paid to joint annuitants and beneficiaries for the same period that benefits would otherwise have been paid to the retiree, notwithstanding the selection of an actuarial equivalent option.
7. This rule shall operate retroactive to March 7, 2001, the effective date of Ordinance 2001-15.

This Administrative Rule was previously approved by the Board. This Administrative Rule was reviewed by the Board of Trustees at a public hearing, following proper notice, on July 13, 2015. This Administrative rule was adopted by vote of Trustees on July 13, 2015.

  
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Greg Brilliant, Chairman

  
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Larry Davis, Secretary

Policy #7
Subject: Governing Public Participation
Year: 2013; Revised 9/15/2015

## BOARD OF TRUSTEES

### DAVIE POLICE PENSION PLAN

#### ADMINISTRATIVE RULES GOVERNING PUBLIC PARTICIPATION

Background: Senate Bill 50, Chapter 2013-227 Laws of Florida, was adopted effective October 1, 2013. Senate Bill 50 governs most public meetings, requires a reasonable opportunity to be heard, provides for payment of attorney's fees in certain cases enforcing SB 50, and permits boards to adopt administrative rules in compliance with Section 286.0114(4), Florida Statutes.

#### **Administrative Rules Governing Public Participation:**

(a) **Regular meetings.** Public discussion shall be placed on each agenda at the beginning of each scheduled meeting, unless the Chair or presiding officer decides to deviate from these rules on a case by case basis.

(b) **Special meetings.** Public comments at special meetings shall be limited only to the items and matters referred to on the agenda for such special meeting. The Chair or presiding officer may disallow any and all public comments on matters not specifically referred to on the agenda for a special meeting.

(c) **Order on agenda.** The first agenda item at each regular meeting shall be "public discussion" for fifteen minutes. The Board, by a majority vote, may authorize the extension of time for public discussion until a "time certain." In the event that members of the public are excluded from speaking due to time limitations, such members of the public shall be entitled to address the Board at the next regular meeting and a final vote on the pending items listed on speaker request cards described in section (d) shall be postponed accordingly.

(d) **Procedure for persons wanting to speak.** Members of the public who wish to speak under public discussion for either a regular or special meeting shall place their name on a sign-in list, containing their complete name and a brief discussion of the topic they wish to discuss. The list shall be provided to the Chair or presiding officer prior to public discussion and shall be preserved as public records by the Board, pursuant to applicable records retention policies.

(e) **Time limitation.** Public discussion shall be limited to three (3) minutes maximum per person during either a regular or special meeting. The Chair or presiding officer may, in their discretion, authorize the extension of such three-minute timeframe after due consideration for the substance, content and relative importance of such discussion.

(f) **Decorum.** No person shall interrupt or disrupt an individual who is addressing the Board or use loud, offensive, disorderly, threatening, insulting, abusive, or foul language, or behave in an offensive, disorderly, threatening, abusive, or insulting manner, or make personal, impertinent, slanderous, or profane remarks during the meeting. To maintain decorum and order, individuals

who disturb the conduct of meetings, or who refuse to conform their discussion to items set in the agenda, may be ejected by the Chair or presiding officer. All remarks shall be addressed to the Board as a body and not to any member thereof. No person other than a Board member or the person having the floor shall be permitted to enter into any discussion, without the permission of the Chair or presiding officer. All questions to the Board shall be directed through the Chair or presiding officer.

(g) Scope. These rules shall not apply to any meeting that is exempt from Section 286.011, Florida Statutes, or to any meeting where the Board is acting in a quasi-judicial capacity.

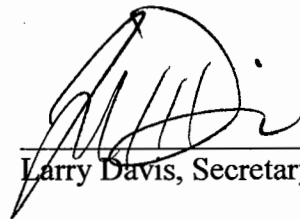
This rule was considered by the Board of Trustees at a public hearing, following proper notice. The Administrative Rule was adopted by vote of the Board of Trustees on October 8, 2013. The Board numbered this rule on September 15, 2015 which was the only change to this Administrative Rule.

This Administrative Rule was considered by the Board of Trustees at a public hearing, following proper notice on September 15, 2015. The Administrative Rule was adopted by vote of the Trustees on September 15, 2015.



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Greg Brilliant, Chairman



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Larry Davis, Secretary

Policy #8
Subject: DROP 20% holdback
Year: 2015; Revised 9/15/2015

## BOARD OF TRUSTEES

### DAVIE POLICE PENSION PLAN

#### ADMINISTRATIVE RULES GOVERNING DROP ACCOUNT 20% HOLDBACK & EARNINGS ON FINAL DROP DISTRIBUTION

1. Background: Section 4.3 of the Pension Plan governs the DROP.
2. DROP Payout: Section 4.3.9(b) governs DROP payout as follows:

Payment shall be made from the DROP account no more than ninety (90) days after separation from the Town. The form of payment may be altered upon written notice to the Board to take effect not more than ninety (90) days from the date of the notice. Payment shall be made:

- i. in a single lump sum;
  - ii. in annual installments;
  - iii. in equal monthly installments;
  - iv. any combination of lump sum and periodic payments;
  - v. by rollover to another qualified plan.
3. DROP Earnings: Section 4.3.7 of the Pension Plan governs the crediting or debiting, as appropriate, of DROP account balances. Section 4.3.7 provides that:

Accounts may be credited monthly or quarterly at the discretion of the Board of Trustees. Investment earnings/losses will be posted up to the last date of the members' DROP period. DROP participants by virtue of their participation authorize the Retirement Board to invest their DROP assets in the same manner as other assets of the Pension Fund.

4. In accordance with the Pension Board's administrative authority set forth in Section 9.1(b)(4) of the Pension Plan, the Pension Board adopts the following rules governing the investment of residual DROP account balances:

#### **20% HOLDBACK & INVESTMENT OF FINAL DROP ACCOUNT BALANCES:**

**When a DROP participant requests a full distribution of their DROP balance, the following procedure shall apply:**

- (a) **20% holdback:** The Administrator shall distribute eighty percent (80%) of the DROP account balance as of the end of the prior calendar quarter (March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, or December 31<sup>st</sup>) as soon as is

administratively possible. The remaining twenty percent (20%) will be distributed when the returns are reported and verified by the actuary and investment consultant.

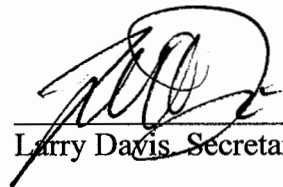
- (b) **Investment of holdback:** The return for the quarter during which the member requests a full distribution of their DROP balance will be computed in the usual manner. In order to then expedite calculation of final investment earnings/losses, the remaining 20% holdback balance will only include cash, fixed income, and equity returns for any further months, until the entire remaining balance is distributed.
- (c) **\$15,000 trigger:** Members shall be notified if their DROP balance declines to \$15,000, or less. Following notification, the entire DROP balance shall be paid as a single lump sum as soon as is administratively possible, unless the member requests a rollover.

- 5. The Board of Trustees reserves the right to amend this Administrative Rule from time to time as it deems appropriate. For this reason, DROP distribution procedures shall not be treated as a permanent entitlement or vested benefit. The Board shall retain the right to exercise its discretion in interpreting or revising this Rule and in resolving any disputes that may arise hereunder.

This Administrative Rule was first adopted on August 18, 2015 and was numbered Administrative Rule 7. On September 15, 2015, this Administrative Rule number was change to Administrative Rule 8.

This rule was considered by the Board of Trustees at a public hearing, following proper notice, on September 15, 2015. The Administrative Rule was adopted by vote of the Trustees on September 15, 2015.

  
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Greg Brilliant, Chairman

  
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Larry Davis, Secretary