

**CITY OF ST. PETE BEACH  
POLICE OFFICERS' RETIREMENT SYSTEM  
SUMMARY PLAN DESCRIPTION**

**July 1, 2015**

**IS YOUR BENEFICIARY FORM CURRENT? IN THE EVENT YOU DIE, YOUR BENEFIT OR CONTRIBUTIONS WILL BE DISTRIBUTED TO THE PERSON OR PERSONS DESIGNATED BY NAME ON THE BENEFICIARY FORM ON FILE WITH THE PENSION PLAN. NO PROVISION IN YOUR LAST WILL AND TESTAMENT WILL CHANGE THIS SELECTION. PLEASE BE SURE THAT YOUR BENEFICIARY FORM DESIGNATES THE PERSON OR PERSONS YOU INTEND TO RECEIVE YOUR BENEFITS AND THAT YOU REVIEW THIS CHOICE IN THE EVENT OF A MAJOR LIFE CHANGE SUCH AS A DIVORCE OR THE DEATH OF YOUR BENEFICIARY.**

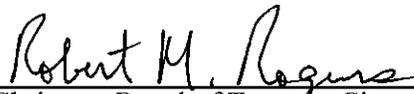
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**INTRODUCTION**

The Board of Trustees of the City of St. Pete Beach Police Officers' Retirement System is pleased to present this booklet which briefly explains the provisions of your Police Officers' Pension Plan. As a participant in the Fund, you are included in a program of benefits to help you meet your financial needs at retirement, or in the event of disability or death.

This booklet can assist you in preparing for your retirement and financial future. If you need further information on any of the topics presented in this booklet, please contact any member of the Board of Trustees. They will either answer questions you might have to help you understand your benefits or otherwise get you an answer to your questions. We urge you to read and understand this booklet in order to become familiar with the benefits of the plan and how they contribute to your financial security and how they will enrich your retirement years.

The information presented is only a summary of the pension plan ("Plan") as provided in the ordinances of the City of St. Pete Beach. If there are any conflicts between the information in this booklet and the ordinances of the City of St. Pete Beach, the ordinances shall govern. The provisions of this Summary Plan Description shall not constitute a contract between the Member and the Board of Trustees. The plan shall be administered in accordance with state and federal law, notwithstanding any provisions in this booklet or ordinances to the contrary. A copy of the ordinance establishing the Plan can be obtained from the City Clerk's office, which is located at 155 Corey Avenue, St. Pete Beach, Florida 33706.

  
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Chairman, Board of Trustees, City of St. Pete  
Beach Police Officers' Retirement System

7/29/2015  
Date

1. **BOARD OF TRUSTEES AND PLAN ADMINISTRATION**

A. Administration. The City of St. Pete Beach Police Officers' Retirement System is a defined benefit pension plan administered by a Board of Trustees which acts as the administrator of the Plan. The Board consists of 5 Trustees, 2 of whom are legal residents of the City who are appointed by the City Commission, 2 of whom are members of the System who are elected by a majority of the Police Officers who are members of the System and a fifth Trustee who is chosen by a majority of the first 4 Trustees. Each Trustee serves a 2 year term.

B. The names and addresses of the current Trustees are attached to this Summary Plan Description as Exhibit "A". The Chairman of the Board of Trustees is designated as agent for the service of legal process as provided for in the plan document and by applicable law.

2. **ELIGIBILITY FOR PLAN MEMBERSHIP**

A. Each person employed by the City Police Department as a full-time Police Officer becomes a member of the Plan as a condition of his employment. All Police Officers are therefore eligible for all plan benefits. However, if the Chief of Police elects to participate in a different pension plan, he shall be entitled to waive participation in this plan.

B. Police officers employed by Pinellas County Sheriffs Office. Police officers who are employed by the Pinellas County Sheriff's Office pursuant to an interlocal agreement between the City of St. Pete Beach and the Pinellas County Sheriff's Office, who elect to continue participating in this system, shall remain members of this system for as long as they are employed in a position covered by the system, until retirement.

3. **BENEFIT FREEZE; MAXIMUM BENEFIT; REFUND OF CONTRIBUTIONS**

Notwithstanding any other provision of the system:

A. The accrued benefits of all active members shall be frozen on January 31, 2013, and such members shall thereafter accrue benefits in accordance with section 66-229. Such members shall be eligible to receive their frozen accrued benefit with no reduction upon attaining age 55 or upon completion of 25 years of credited service. Such members who attain age 50 with 10 years of credited service, or 20 years of credited service regardless of age, shall be eligible to receive their frozen accrued benefit reduced by 3% for each year that retirement precedes the member's earliest applicable normal retirement date.

B. The benefits of members who are employed and not participating in the DROP on January 31, 2013 shall be payable in two parts:

(1) the frozen accrued benefit based on the vested percentage, credited service, average final compensation and other provisions of the system in effect on January 31, 2013; and

(2) the benefit based on credited service, average final compensation and the provisions of the system in effect on and after February 1, 2013.

C. Effective February 1, 2013, the maximum combined benefit under the system shall be 75% of average final compensation. Provided, if a member's accrued benefit as of February 1, 2013 is 75% or more of average final compensation, the benefit percentage may not be reduced.

D. The benefits of members who have attained age 55 or 25 years of credited service as of January 31, 2013 shall **not** be frozen, and such members shall continue to accrue benefits in accordance with the provisions of the system in effect on January 31, 2013 for as long as they are employed in a position covered by the system.

E. Any member employed as a police officer **on October 1, 2012**, may elect to receive a refund of accumulated member contributions, without interest, in lieu of any benefit from the system. A member who receives a refund of accumulated contributions shall not thereafter be eligible for any benefit from the system.

#### 4. PLAN BENEFITS

All claims for benefits under the Plan shall be made in writing to the Board of Trustees.

##### A. Normal Retirement Eligibility.

- (1) If you retired, entered the DROP or terminated employment with the right to a deferred vested benefit **prior to February 1, 2013** and if you are employed **on January 31, 2013** and have attained age 55 or completed 25 years of credited service on December 31, 2012, you are eligible for retirement upon the earlier of the attainment of age 55 regardless of years of credited service or the completion of 25 years of credited service, regardless of age.
- (2) If you are employed **on January 31, 2013**, but have **not** attained age 55 or completed 25 years of credit service on January 31, 2013, you shall be eligible to receive your frozen accrued benefit based on credited service **prior to January 31, 2013** upon attaining age 55 or the completion of 25 years of credited service or a reduced early retirement benefit based on your frozen accrued benefit upon attaining age 50 and completing 10 years of credited service or 20 years of credited service.
- (3) If you are employed **on January 31, 2013**, but have **not** attained age 55 or completed 25 years of credited service on January 31, 2013, and if you were hired **on or after February 1, 2013**, you are eligible for retirement upon the earlier of the attainment of age 60 and completion of 10 years of credited service, or 30 years of credited service, regardless of age. If you have 10 or more years of credited service **on January 31, 2013** you shall be eligible for normal retirement at age 55 or upon completion of 25 years of credited service, regardless of age.

B. Amount of Normal Retirement Benefits. The amount of the normal retirement benefit is based on your credited service and average final compensation:

"Credited Service" is generally your period of employment as a Police Officer in the Police Department measured in years and parts of years. Credited service shall include periods of employment by the Pinellas County Sheriff's Office pursuant to an interlocal agreement between the City of St. Pete Beach and the Pinellas County Sheriff's Office, by police officers who elect to continue participating in this system. Credited service shall also include credit for up to five years for a break in employment for military service, pursuant to conditions provided for under state or federal law, provided that you are reemployed within 1 year of discharge under honorable conditions. Additional credited service time may also be available (See subsection L. below).

"Average Final Compensation" is 1/12 of the average salary of the 5 best years of the last 10 years of credited service prior to your termination, retirement or death, or your career average as a full-time Police Officer, whichever is greater. A year is defined as 12 consecutive months.

"Salary" for credited service **prior to January 31, 2013** shall mean the total compensation for services rendered to the City as a Police Officer reportable on your W-2 form plus all tax-deferred, tax sheltered or tax exempt items of income derived from elective employee payroll deductions or salary reductions. Effective **February 1, 2013**, salary shall be defined as base pay excluding overtime and all other forms of compensation.

If you were hired **prior to October 1, 1981**, your normal retirement benefit is calculated by multiplying 3.2% times each year of credited service prior to October 1, 1981, times your average final compensation, plus 4% of average final compensation for each year of credited service subsequent to October 1, 1981. The benefit may not exceed 90% of your average final compensation.

If you were hired **on or after October 1, 1981**, your normal retirement benefit for credit service earned **prior to October 1, 2012** is calculated by multiplying 3.2% times years of credited service times your average final compensation. The benefit may not exceed 90% of your average final compensation.

The normal retirement benefit for credited service earned **on and after February 1, 2013** is calculated by multiplying 1.25% (up to a maximum of 75%) times years of credited service times your average final compensation:  $(1.25\% \text{ (up to a maximum of 75\%) } \times CS \times AFC = \text{normal retirement benefit})$ .

Normal and early retirement payments will commence on the first day of the month coincident with or next following your last day of employment. Early retirees may defer the commencement of benefits. The benefit is paid to you for life, but you or your beneficiary shall receive at least 120 monthly benefit payments in any event.

Each vested Plan Member shall be entitled, at the Fund's expense, to receive two actuarial studies (one preliminary and one final) to estimate his or her retirement benefits. Any additional studies shall be provided only at the Member's expense.

C. Early Retirement.

- (1) You are eligible for early retirement upon the attainment of age 50 and the completion of 10 years of credited service or the completion of 20 years of credited service regardless of age. If you are employed **on January 31, 2013**, but have not attained age 55 or completed 25 years of credited service on December 31, 2012, shall be eligible to receive your frozen accrued benefit through December 31, 2012 with the reduction provided in subsection D.(2) below, upon attaining age 50 with 10 years of credited service or 20 years of credited service, regardless of age and terminating city employment.
- (2) If you are employed **on February 1, 2013** and have **not** attained age 55 or completed 25 years of credited service **or** you were hired **on or after February 1, 2013**, you may **not** receive an immediate or deferred retirement benefit, **prior to** attaining your normal retirement date as defined 4.A., above.

D. Amount of Early Retirement Benefits. The amount of the early retirement benefit is calculated in the same manner as for normal retirement and is available as follows:

- (1) Beginning on the date on which you would have qualified for normal retirement; or
- (2) Beginning immediately upon retirement, but if beginning immediately, the amount of the monthly benefit is reduced by 3% for each year by which the commencement of benefits precedes your normal retirement date.

E. Cost of Living Increases. In addition to the benefits provided above, the System provides for a cost of living increase as follows:

- (1) Beginning October 1, 2004 or the October 1 after 10 years from the date which was or which will be your normal retirement date, whichever is later, and on each October 1 thereafter, all retirees receiving a normal, early or disability benefit, not including terminated vested members, and beneficiaries receiving benefits by virtue of a deceased retired member shall have their benefits increased by three percent. This cost-of-living adjustment shall apply to all described retirees and beneficiaries, regardless of whether they retired before or after February 1, 1994.
- (2) Beginning on or after October 1, 2004, a cost-of-living adjustment will be provided beginning October 1 following the date which is seven years from the date which your actual normal retirement or which would have been your normal retirement date, and on each October 1 thereafter, all retirees receiving a normal, early or disability benefit who retire on or after March 14, 2006, and beneficiaries receiving benefits by virtue of a deceased retired member, but not including terminated vested members and the beneficiaries of terminated vested members, shall have their benefits increased by 3% for all credited service earned prior to February 1, 2013.
- (3) There is no cost of living adjustment to benefits based on credited service **on or after February 1, 2013.**

F. Share Plan.

- (1) Effective February 1, 2013, there is created a supplemental retirement benefit for the City of St. Pete Beach police officers. The supplemental retirement benefit shall consist of an individual share account established for each police officer employed by the City on October 1, 2012, including DROP participants. The supplemental retirement benefit shall be funded solely by excess premium tax revenues received by the City pursuant to Chapter 185, Florida Statutes. The total initial amount to be allocated to the participants' share accounts as provided herein shall be the 'total state monies reserve' reflected in the actuarial valuation report as of October 1, 2012. In the event the Division of Retirement determines that a lesser amount of Ch. 185 monies are available to fund the Share Plan, the Share Plan shall be funded with the amount of Ch. 185 revenues determined to be available by the Division of Retirement. Participants' share accounts shall be credited with premium tax revenues and investment earnings or losses, and distributed pursuant to section 66-230 of the plan.

G. Other Retirement Options. At retirement, certain additional options are available as follows:

- (1) Optional Forms of Retirement. In lieu of the amount and form of retirement income payable under normal and early retirement, you may elect to receive a retirement benefit in a different form so long as the form you elect is of equal actuarial value as the normal benefit. The optional forms of benefits which are available are:
  - (a) A retirement income of a larger monthly amount, payable to you for your lifetime only.
  - (b) A retirement income of a modified monthly amount, payable to you during your lifetime and following your death, 100%, 75%, 66-2/3% or 50% of such monthly amounts payable to a joint pensioner for his lifetime.
  - (c) Such other amount and form of retirement payments or benefits as will best meet your circumstances.
- (2) Deferred Retirement Option Plan (DROP).
  - (a) If you are employed by the City as a police officer **on January 31, 2013** and have attained age 55 or completed 25 years of credited service on January 31, 2013, you shall be eligible to enter and participate in the DROP **on or after February 1, 2013**, you have the option of "retiring" from the pension plan but continuing your employment as a police officer for an additional five years. An election to participate in the DROP constitutes an irrevocable election to resign from the service of the City not later than 5 years from the date you begin DROP participation. You must request, in writing, to enter the DROP.
  - (b) Upon entering the DROP, your retirement benefit is immediately calculated and each monthly benefit payment is deposited into your DROP account. You may elect to either have your account credited with interest at the rate of 7.5% per annum or credited or debited with an investment return or loss equal to the net investment return realized by the System for that quarter. One change in election is permitted.
  - (c) At the time of termination of employment at the end of the DROP period, you will receive your account balance in a lump sum or in another optional form and you will also begin receiving your monthly retirement benefit.
  - (d) Once you enter the DROP, you are no longer eligible for disability or pre-retirement death benefits, nor do you accrue any additional credited service. Your retirement benefit is fixed as of your entry date. You pay no member contributions to the plan once you enter the DROP.

- (e) Participation in the DROP is not a guarantee of employment and DROP participants shall be subject to the same employment standards and policies that are applicable to employees who are not DROP participants.
- (f) Additional information about the DROP can be obtained from the Board.
- (g) No member may enter the DROP **on or after February 1, 2013**, except as provided for in (2)(a).

H. Disability Retirement. You are considered disabled when you become totally and permanently unable to perform useful and efficient service as a Police Officer. A written application is made to the Board of Trustees for a disability pension and the Board of Trustees receives evidence of the disability and decides whether or not the pension is to be granted. If the pension is granted, the benefit amount shall be:

- (1) If the injury or disease is service connected, you shall receive a monthly pension determined as for normal retirement, taking into account your average final compensation and years of credited service at the date of your disability, but not less than 50% of your average final compensation.
- (2) If the injury or disease is not service connected, you shall receive a monthly pension determined as for normal retirement, taking into account your average final compensation and years of credited service at the date of your disability. This non-service connected benefit is only available if you have at least 10 years of credited service.

Terminated persons, either vested or non-vested, are not eligible for disability benefits, except that those terminated by the City for medical reasons may apply for a disability benefit within 30 days after termination date, your application will be processed and fully considered by the board. If you voluntarily terminate your employment after filing the application, you will not be eligible to be considered for any disability benefit.

Your disability benefit terminates upon the earlier of death, with 120 payments guaranteed, or recovery. You may, however, select a "life only" or "joint and survivor" optional form of benefit as described above under "Optional Forms of Retirement".

Your benefit will be reduced if you receive workers' compensation benefits and your combined benefit exceeds 100% of your final salary. The pension benefit will be reduced so that the total does not exceed 100%, except that the pension benefit shall not be reduced below the greater of 42% of average final compensation or 2% of average final compensation times years of credited service.

Any condition or impairment of health caused by hypertension or heart disease resulting in death or total and permanent disability is presumed to have been suffered in the line of duty unless the contrary is shown by competent evidence; provided that you have successfully passed a physical examination on entering into service and there is no evidence of the condition at that time.

For conditions diagnosed on or after January 1, 1996, if you suffer a condition or impairment of health that is caused by hepatitis, meningococcal meningitis, or tuberculosis, which results in total and permanent disability, it shall be presumed that the disability is in the line of duty, unless the contrary is shown by competent evidence as provided for in Section 112.181, Florida Statutes; provided that the statutory conditions have been met.

To receive disability benefits, you must establish to the satisfaction of the Board, that such disability was not occasioned primarily by:

- (1) Excessive or habitual use of any drugs, intoxicants or narcotics.
- (2) Injury or disease sustained while willfully and illegally participating in fights, riots or civil insurrections or while committing a crime.
- (3) Injury or disease sustained while serving in any branch of the Armed Forces.
- (4) Injury or disease sustained after your employment as a Police Officer with the City of St. Pete Beach shall have terminated.

As a disabled pensioner, you are subject to periodic medical examinations as directed by the Board to determine whether a disability continues. You may also be required to submit statements from your doctor, at your expense, confirming that your disability continues.

I. Death Before Retirement. If you die prior to retirement from the Police Department, your beneficiary shall receive the following benefit:

(1) Prior to Vesting or Eligibility for Retirement. If you were not receiving monthly benefits or not yet vested or eligible for early or normal retirement, your beneficiary shall receive a refund 100% of your accumulated contributions.

(2) Deceased Members Vested or Eligible for Retirement with Spouse as Beneficiary. If you die while actively employed and if, at the date of your death were vested or eligible for early or normal retirement, your beneficiary shall be entitled to a benefit as follows:

- (a) If you were vested, but not eligible for normal or early retirement, your spouse beneficiary shall receive a benefit payable for 10 years, beginning on the date that you would have been eligible for early or normal retirement, at the option of the spouse beneficiary. The benefit shall be calculated as for normal retirement based on your credited service and average final compensation as of the date of your death and reduced as for early retirement, if applicable. Your spouse beneficiary may also elect to receive an immediate benefit, payable for 10 years, which is actuarially reduced to reflect the commencement of benefits prior to the early retirement date.
- (b) If you were eligible for normal or early retirement, your spouse beneficiary shall receive a benefit payable for 10 years, beginning on the first day of the month following your death or at your otherwise normal or early retirement date, at the option of your spouse beneficiary. The benefit shall be calculated as for normal retirement based on your credited service and average final compensation as of the date of your death and reduced as for early retirement, if applicable.
- (c) Your spouse beneficiary may not elect an optional form of benefit, except that your beneficiary may elect to receive a lump sum payment pursuant to Section 16-60(g) of the Plan.

- (d) Your spouse beneficiary may, in lieu of any benefit provided for in (a) or (b) above, elect to receive a refund of your accumulated contributions.
  - (e) If your spouse beneficiary commences receiving a benefit under (a) or (b) above, but dies before all payments are made, the remaining benefit shall be paid to the estate of the spouse beneficiary.
- (3) Deceased Members Vested or Eligible for Retirement with Non-Spouse Beneficiary. If your beneficiary is not your spouse, the benefits payable to your non-spouse beneficiary are the same as those to a spouse beneficiary, however, the date of commencement of those benefits may be required to be earlier, with the resulting reduction in the amount.

J. Termination of Employment and Vesting. The provisions of section 66-149 of the plan, shall apply to benefits accruing prior to February 1, 2013. Effective February 1, 2013, for benefits accruing on and after that date, vesting rights shall be as provided in section 66-229 of the plan; provided, members who are employed on January 31, 2013 and have attained age 55 or 25 years of credited service on that date shall have vesting rights as provided in this section 66-149.

K. Reemployment After Retirement. If you retire under normal or early retirement and wish to be reemployed by the city, you should be aware that your ability to continue to receive your pension benefit upon reemployment may be restricted.

L. Additional Credited Service. In addition to credited service actually earned in the employment of the Police Department, you may also receive credited service as follows:

- (1) "Buy-Back" for Prior Police Service. The years or fractional parts of years that you previously served as a Police Officer with the City of St. Pete Beach during a period of previous employment and for which period accumulated contributions were withdrawn from the Fund shall be added to your years of credited service provided that within the first 90 days of your reemployment you pay into the plan the withdrawn contributions with interest.

If, after 90 days from your reemployment you have failed to purchase credited service pursuant to the previous paragraph or if you served as a full-time paid Police Officer for any other municipal, county or state law enforcement agency in the State of Florida, you will receive credited service only if:

- (a) You contribute to the Fund a sum equal to:
  - (i) the amount that you would have contributed to the plan, based on your salary and the member contribution rate in effect at the time that the credited service is requested, had you been a member of the system for the years or fractional parts of years for which you are requesting credit, plus
  - (ii) amounts actuarially determined such that the crediting of service does not result in any cost to the Fund, plus

- (iii) payment of costs for all professional services rendered to the Board in connection with the purchase of years of credited service.
  - (b) Your request shall be made only once and made on or before 18 months from the date of your employment or reemployment with the Police Department.
  - (c) Payment of the required amount shall be made within 6 months of your request for credit, but not later than your retirement date, and shall be made in one lump sum payment upon receipt of which credited service shall be given.
  - (d) The maximum credit under this subsection for service other than with the City of St. Pete Beach when combined with credited service purchased for prior military service shall be 5 years of credited service and shall count for all purposes, except vesting and eligibility for not-in-line of duty disability benefits. There shall be no maximum purchase of credit for prior service with the City of St. Pete Beach and such credit shall count for all purposes, including vesting.
  - (e) In no event, however, may credited service be purchased pursuant to this subsection for prior service with any other municipal, county or state law enforcement department, if such prior service forms or will form the basis of a retirement benefit or pension from a different employer's retirement system or plan as set forth in Section 15, subsection 8.B. of the plan document.
- (2) "Buy-Back" of Time Lost Due to Absences Authorized by the Family and Medical Leave Act. If you are absent on unpaid leave under the Family & Medical Leave Act, you may purchase lost credited service by making an actuarially determined contribution to the Plan, such that there is no cost to the Plan in allowing such credited service, within strict time periods provided for in the plan document.
- (3) "Buy-Back" for Military Service Prior to Employment. The years or fractional parts of years that you serve or have served on active duty in the military service of the Armed Forces of the United States, the United States Merchant Marine or the United States Coast Guard, voluntarily or involuntarily and honorably or under honorable conditions, prior to first and initial employment with the City of St. Pete Beach Police Department shall be added to your years of credited service provided that:
- (a) You contribute to the Fund a sum equal to:
    - (i) the amount that you would have contributed to the plan, based on your salary and the member contribution rate in effect at the time that the credited service is requested, had you been a member of the system for the years or fractional parts of years for which you are requesting credit, plus

- (ii) amounts actuarially determined such that the crediting of service does not result in any cost to the Fund, plus
  - (iii) payment of costs for all professional services rendered to the Board in connection with the purchase of years of credited service.
- (b) Your request shall be made only once and made on or before 18 months from the date of your employment or reemployment with the Police Department.
  - (c) Payment of the required amount shall be made within 6 months of your request for credit, but not later than your retirement date, and shall be made in one lump sum payment upon receipt of which credited service shall be given.
  - (d) The maximum credit under this subsection when combined with prior police service with an employer other than the City of St. Pete Beach, shall be 5 years and shall count for all purposes except vesting and eligibility for not-in-line of duty disability benefits.
- (4) Rollovers or Transfers of Funds to Purchase Service. In the event you are eligible to purchase additional credited service as provided above, you may be eligible to rollover or transfer funds from another retirement program in which you participate (traditional IRA, deferred compensation plan maintained by a government employer 457 plan, 401k plan, profit sharing plan, defined benefit plan, money purchase plan, annuity plan or tax sheltered annuity) in order to pay all or part of the cost of purchasing such additional credited service.

M. Contributions and Funding. The City is paying the portion of the cost of the pension plan over and above your contributions and any amounts received from the state insurance rebates. You contribute 8.3% of your salary to the Plan through January 31, 2013. Effective February 1, 2013, if you have **not** attained age 55 or 25 years of credited service **on February 1, 2013** and if you were hired **on or after February 1, 2013**, you contribute 3% of your salary to the Plan. Your contribution will be excluded from your gross income for withholding purposes so you will realize income tax benefits.

N. Maximum Benefits. In no event will the annual benefits paid from this Plan exceed \$210,000.00 annually, subject to certain cost of living adjustments and actuarial reductions, under certain circumstances, prior to age 62 as set forth in Section 415 of the Internal Revenue Code.

O. Forfeiture of Pension. If you are convicted of the certain crimes listed in the Plan committed prior to retirement, or if your employment is terminated by reason of your admitted commission, aid or abetment of these crimes, you shall forfeit all rights and benefits under the Plan, except for the return of your contributions as of the date of your termination.

P. Conviction and Forfeiture; False, Misleading or Fraudulent Statements.

It is unlawful for you to willfully and knowingly make, or cause to be made, or to assist, conspire with, or urge another to make, or cause to be made, any false, fraudulent, or misleading oral or written statement or withhold or conceal material information to obtain any benefit from the System.

If you violate the previous paragraph, you commit a misdemeanor of the first degree, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes.

In addition to any applicable criminal penalty, upon conviction for a violation described above, you or your beneficiary may, in the discretion of the Board, be required to forfeit the right to receive any or all benefits to which you would otherwise be entitled under the System. For purposes of this subsection, "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld.

Q. Claims Procedure Before the Board. You may request, in writing, that the Board review any claim for benefits under the Plan. The Board will review the case and enter a decision as it deems proper within not more than 180 days from the date of the receipt of such written request, or in the case of a disability claim, from receipt of a medical release and completed interrogatories. The time period may be extended if you agree to the extension.

The Board's decision on your claim will be contained in an order which will be in writing and will include:

- (1) The specific reasons for the Board's action;
- (2) A description of any additional information that the Board feels is necessary for you to perfect your claim;
- (3) An explanation of the review procedure next open to you which includes a formal evidentiary hearing.

#### 4. NON-FORFEITURE OF PENSION BENEFITS

A. Liquidation of Pension Fund Assets. In the event of repeal, or if contributions to the Fund are discontinued by the City, there will be a full vesting of benefits accrued to date of repeal.

B. Interest of Members in Pension Fund. At no time prior to the satisfaction of all liabilities under the Plan shall any assets of the Plan be used for any purpose other than for the Police Officers' exclusive benefit. In any event, your contributions to the Plan are non-forfeitable.

#### 5. VESTING OF BENEFITS

Your retirement benefits are fully vested after 10 years of credited service.

#### 6. APPLICABLE LAW

The Plan is governed by certain federal, state and local laws, including, but not limited to the following:

- A. Internal Revenue Code and amendments thereto.
- B. Chapter 185, Florida Statutes, "Municipal Police Officers' Retirement Trust Funds".
- C. Part VII, Chapter 112, Florida Statutes, "Actuarial Soundness of Retirement Systems".
- D. Ordinances of the City of St. Pete Beach.
- E. Administrative rules and regulations adopted by the Board of Trustees.

7. **PLAN YEAR AND PLAN RECORDS**

The Plan year begins on October 1 of each year and ends on September 30 of the following year. All records of the Plan are maintained on the basis of the Plan year.

8. **APPLICABLE PROVISIONS OF COLLECTIVE BARGAINING AGREEMENTS**

The current collective bargaining agreement between the City and the Police Officers contains no provisions which deal directly with pension benefits. However, pension benefits can be a bargainable issue.

9. **FINANCIAL AND ACTUARIAL INFORMATION**

A report of pertinent financial and actuarial information on the solvency and actuarial soundness of the Plan has been prepared by the Pension Plan's actuary, Foster & Foster, Inc., and is attached as Exhibit "B".

10. **DIVORCE OR DISSOLUTION OF MARRIAGE**

Federal and state law provides certain restrictions regarding the payment of your pension benefits in the event of your divorce or dissolution of marriage. Immediately upon your involvement in such a legal proceeding, you should provide a member of the Board of Trustees with the name and address of your attorney or your name and address if you have no attorney. The Board's attorney will then provide you or your attorney with information concerning the legal restrictions regarding your pension benefits. In addition, a copy of any proposed order must be submitted to the Board prior to entry by the court. Failure to do so may require you to pay any expenses incurred by the Board in correcting an improper court order.

11. **EX-SPOUSES AS BENEFICIARY OR JOINT PENSIONER**

The Florida Legislature has adopted Section 732.703, Florida Statutes. This law nullifies the designation of your ex-spouse as a Beneficiary or Joint Annuitant / Joint Pensioner on your pension plan retirement benefits. This law went into effect on July 1, 2012.

After July 1, 2012, if you want your ex-spouse to be a beneficiary or joint annuitant/joint pensioner for your plan benefit, you will have to make that designation AFTER the dissolution of marriage. If you currently have an ex-spouse as a beneficiary or joint annuitant/joint pensioner, and want to keep this designation, you will have to designate the ex-spouse again after July 1, 2012.

To reconfirm your current beneficiary, or to designate a new beneficiary, complete a new Designation of Beneficiary Form (PF-3).

To reconfirm your current joint annuitant/joint pensioner, or to designate a new joint annuitant/joint pensioner (if authorized by the current plan provisions), indicate such change on a Change or Confirmation of Designated Joint Annuitant or Joint Pensioner Form (PF-25). If necessary, the plan administrator will submit the new form to the actuary of the plan for recalculation of your benefit. There may be a charge to you to make this change.

To obtain either of the above forms, or if you have any questions, please contact your plan administrator.

12. **EXCLUSION OF HEALTH INSURANCE PREMIUMS FROM INCOME.**

When you retire because of disability or have worked to the date you are immediately eligible for normal retirement (not early retirement), you can elect to exclude from income, distributions made from your benefit that are used to pay the premiums for accident or health insurance or long-term care insurance. The premium can be for coverage for you, your spouse, or dependents. The distribution must be made directly from the plan to the insurance provider using pension form PF-22 which authorizes the distribution. (This form may be obtained from your plan administrator) You can exclude from income the smaller of the amount of the insurance premiums or \$3,000.00. You can only make this election for amounts that would otherwise be included in your income.

**EXHIBIT "A"**

**BOARD OF TRUSTEES**

The names and addresses of the members of the Board of Trustees are:

Chairman: Bob Rogers  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706

Secretary: Thomas Lange  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706

Member: Alan Sikas  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706

Member: Jerry Gorup  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706

Member: Robert Micklitsch  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706