

Motion 05.2022

Authorization to Establish a Subcommittee of the Pension and Investment Committee to Administer and Oversee the District's Defined Contribution Plans.

May 25, 2022

Introduction

The North Broward Hospital District (the "District"), is a special district as defined under § 189.012(6), Florida Statutes, and was established by the Florida legislature in 1951 under ch. 27438, Laws of Florida, as recodified in ch. 2006-347, Laws of Florida, as amended (the "District's Charter");

The District is governed by the Board of Commissioners of North Broward Hospital District (the "Board") with such powers, duties, and responsibilities granted to it under the District's Charter;

Section 4(2) of the District's Charter and § 218.415, Florida Statutes, authorizes the Board to invest any funds in the District's control and possession in accordance with an investment policy approved by the Board which mandates prudent investment practices and the Board has established policies in accordance with the foregoing;

Section 19 of the District's Charter authorizes the District to establish and create various employee annuity and retirement plans following approval by the Board via resolution and the Board via resolution has created various employee retirement plans including, without limitation, tax-sheltered annuity and defined contribution plans governed under § 403(b) of the Internal Revenue Code (26 U.S.C. § 403(b)), § 457(b) of the Internal Revenue Code (26 U.S.C. § 457(b)), and § 457(f) of the Internal Revenue Code (26 U.S.C. § 457(f)) (collectively, the "Defined Contribution Plans");

The Board, in Section 3.12(c)(9) of the Board's Codified Resolutions of the Board of Commissioners of the North Broward Hospital District (the "Codified Resolutions") created the Pension and Investment Committee with oversight of the District's investment activities, fund management, and self-insurance plans, as well as the District's employee pension and retirement plans, including, without limitation, the Defined Contribution Plans;

Currently the District utilizes two (2) recordkeepers to administer the Defined Contribution Plans and the District wishes for the administration of the Defined Contribution Plans to be administered by one (1) recordkeeper consistent with the recommendations of the District's investment advisor;

The Board wishes to further delegate certain responsibilities to a subcommittee created by the CFO to establish goals, strategies, objectives, guidelines, and constraints for administration of the Defined Contribution Plans in an effort to better assist the Board and the Pension and Investment Committee in their oversight duties, as well as to ensure the best and most appropriate options are available to officers and employees of the District; and

Unless context otherwise requires, capitalized terms used but not defined herein have the meanings ascribed to such terms in the Amended and Restated Bylaws of the North Broward Hospital District and its accompanying Codified Resolutions.

Authorization

NOW, THEREFORE, the Board of Commissioners of the North Broward Hospital District authorizes and finds that:

1. The above recitals are true and correct in every respect and are hereby incorporated herein by reference.
2. The CFO is hereby authorized and empowered to establish a subcommittee to the Pension and Investment Committee of the Board (the "Subcommittee") to carry out the fiduciary responsibilities and delegations of

authority conferred by this directive.

3. The Subcommittee is hereby delegated the authority, in accordance with prudent and best investment practices, to establish an Investment Charter and Investment Policy Statement governing and defining the Defined Contribution Plans' goals, strategies, objectives, policies, guidelines, and constraints for administration of the Defined Contribution Plans in an effort to better assist the Board and the Pension and Investment Committee in their oversight duties.
4. The Subcommittee is hereby further delegated the duty to select the recordkeepers of the District's Defined Contribution Plans and the duty to select the particular investment plan and fund options available to eligible participating officers and employees in consultation with an investment advisor to ensure the best and most appropriate investment options in the Defined Contribution Plans are available to officers and employees of the District.
5. The Subcommittee is hereby authorized and empowered in the name of, and on behalf of, the District, to take, or cause to be taken, any and all such further acts, deeds, and matters, to pay such fees and expenses, and to execute, file, and deliver, or cause to be filed and delivered, all such registrations, certifications, forms, notices, documents, and instruments, in each case, in such form and terms as the Subcommittee may approve and as may be deemed necessary or appropriate in order to fully carry out the purposes and intent of the foregoing (as conclusively evidenced by the taking of such action or the execution and delivery of such instruments, as the case may be), and any and all actions heretofore or hereafter taken by the Subcommittee in connection with the subject of the foregoing recitals and resolutions be, and each of them hereby is, ratified, confirmed, and approved in all respects as the act and deed of the District.
6. This authority hereby conferred shall take effect immediately upon the Board's ratification.
7. This authority hereby supersedes, amends, replaces and repeals any conflicting resolution or conflicting policy previously adopted by the Board.

DULY ADOPTED this ___ day of May 2022.

Time Adopted _____ PM