MINUTES
PENSION TRUST COMMISSION
THIRD FLOOR CONFERENCE ROOM
CITY HALL
NOVEMBER 29, 2022 – 9:00 A.M.

Chairperson Bayones called the meeting to order at 9:03 a.m. in the City Hall Third Floor Conference Room. Notice of meeting and agenda was posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT:	James Apple; Teri Bayones; Paul Ellwanger; Christine James; Andrew Hill
ABSENT:	Ed Petersen
ALSO PRESENT:	Tim Wilson, City Attorney's Office; Kristin Huntley, Financial Services; Kaitlin Nunley, Financial Services; Donalynn Scherler, City Clerk's Office.

III. Introduction of Visitors

IV. Business

1. **Discuss any necessary changes to meeting dates and consider approving a proposed Annual Meeting Notice for calendar year 2023.**

   James asked if the address should still say "New" City Hall.

   Chairperson Bayones stated we can take that off.

Motion by Ellwanger, **Second** by Apple, to approve the proposed Annual Meeting Notice for calendar Year 2023 with a change to the address from "New City Hall" to "City Hall". **AYE:** Bayones, Ellwanger, James, Hill, Apple. **NAY:** None. ***Motion Passed.***

2. **Consider ratifying the action of the Pension Trust Chairperson in signing an Engagement Letter with Finley & Cook for the FY 2021-2022 Pension Trust Audit and authorize payment to Finley & Cook for the FY 2021-2022 Pension Trust audit per the terms of the Engagement Letter.**

   Chairperson Bayones explained she mistakenly signed this engagement letter when it should have been approved by the board first. She stated at this time, we would need the board to approve the engagement letter and authorize payment to Finley & Cook.

Motion by Hill, **Second** by Ellwanger, to ratify the action of the Pension Trust Chairperson in executing an Engagement Letter with Finley & Cook for FY 2021-2022 Pension Trust audit and approve the transfer of funds from the Pension Trust to the City for payment. **AYE:** Ellwanger, James, Hill, Apple, Bayones. **NAY:** None. ***Motion Passed.***

3. **Discuss the FY 2021-2022 Pension Trust Audit expenses and how the payment was made. Based on the findings of this discussion, consider approving the transfer of funds from the Pension Trust to the City of Lawton to cover the payment of the FY 2021-2022 Pension Trust Audit.**

   James asked if this was already covered in item 2.

   Wilson stated item 2 authorized payment to Finley & Cook, which has already been done. Item 3 authorizes the transfer of funds from the Pension Trust to the City for reimbursement because the City has already paid it.

Motion by James, **Second** by Hill, to authorize the transfer of funds from the Pension Trust to the City of Lawton for reimbursement of the payment of the 21-22 audit bill. **AYE:** James, Hill, Apple, Bayones, Ellwanger. **NAY:** None. ***Motion Passed.***

4. **Consider ratifying the action of the Pension Trust Chairperson in signing an Engagement Letter with Finley & Cook for the FY 2022-2023 Pension Trust audit and authorize payment to Finley & Cook for the FY 2022-2023 Pension Trust audit per the terms of the Engagement Letter.**

   Chairperson Bayones stated this is the same scenario but for the current fiscal year. Finley & Cook has started work on the audit and sent an invoice for work already completed.

Motion by Ellwanger, **Second** by James, to ratify the action of the Pension Trust Chairperson in signing an Engagement Letter with Finley & Cook for the FY 2022-2023 Pension Trust audit and authorize payment. **AYE:** Hill, Apple, Bayones, Ellwanger, James. **NAY:** None. ***Motion Passed.***

5. **Discuss the possibility of accepting bids for the annual audit process, give guidance to staff on how often RFPs should be done, and consider authorizing City staff to prepare and issue a Request for Proposals (RFP) to conduct Pension Trust audits.**

   Chairperson Bayones stated that Finley & Cook has done the pension audit since 2015, and no RFP process has ever been put in place.

   James asked if this would be a professional services agreement.

   Huntley stated yes, it currently is. You can either maintain the current process or go out to bid. Advertising on the bid will run a few hundred dollars.

   Ellwanger asked what the City of Lawton does for their audit.

   Huntley stated the City does RFPs. We have been with BKD since about 2015, but we will be going out for RFPs for next fiscal year.

James stated that sounds like a pretty good time to do this. They can do them at the same time. The parameters would be the same of the City but a smaller scope. We could do an annual for a 4-year extension option.

Apple asked Huntley if she has any knowledge of other trusts that do audits.

Huntley stated a lot of them use Robert Turner, Arts and Humanities uses a firm in Ardmore, we have a list.

Apple asked if she has knowledge on them doing RFPs.

Huntley stated LURA has been using Robert Turner since 2014.

James stated prices fluctuate so much, especially over the past couple of years.

Apple stated there is enough competition that I think we at least definitely need to go out and see.

Hill stated we've been with the same firm for 7 years. I don't have any problem with that, but it's practical just to see. How often do we do that? Does the City have some sort of schedule?

Huntley stated we do not. It's at the discretion of the Finance Director and City Manager.

Apple asked Wilson if there is anything in City Code about this.

Wilson stated he is not aware of anything regarding professional service agreements.

James stated do we want to get ourselves locked in for three years or do we want to do annual with up to four renewals? That way we don't have to do one every year, but we have the option to if we need to.

Huntley stated you can do an RFP and if you like the firm you get, you can do a professional services agreement with them for the following years. You don't have to do a professional services agreement or an RFP every year. It would just be one or the other.

James stated that could be handled administratively.

Hill stated why don't we just do it for a year so we don't box ourselves in.

Motion by Hill, **Second** by Apple, to direct staff to go to out for RFP for the Pension Trust's Annual audit for one year. **AYE:** Apple, Bayones, Ellwanger, James, Hill. **NAY:** None. ***Motion Passed.***

V. Executive Session

Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status of an ongoing investigation concerning pension calculations, and, if necessary, take appropriate action in open session.

Motion by Ellwanger, **Second** by James, to enter into executive session at 9:19 a.m. **AYE:** Apple, Bayones, Ellwanger, James, Hill. **NAY:** None. ***Motion Passed.***

The trustees remained in executive session until 9:41 a.m. Roll call showed all members present.

VI. Comments

None.

VII. Audience Participation

None.

VIII. Adjournment

There being no further business, the meeting adjourned at 9:41 a.m.

Motion by Ellwanger, **Second** by Hill, to adjourn the meeting of November 29, 2022. **AYE:** Ellwanger, James, Hill, Apple, Bayones. **NAY:** None. ***Motion Passed.***