

Item 7.A.
Benefit Commencement Date

City of Delray Beach

Finance Department



MEMORANDUM

TO: Retirement Committee of the City of Delray Beach General Employees' Retirement Plan

FROM: Lisa Castronovo, Pension Administrator

SUBJECT: Commencement date of disability benefit

DATE: January 29, 2026

ISSUE:

Commencement date of Dwayne Williams' disability benefit

EXPLANATION:

At its November 20, 2025 meeting, the Committee approved a nonservice-connected disability benefit for Dwayne Williams but did not discuss when his monthly benefit will commence.

Per Section 35.097(C)(6), the first (disability) payment "will be made effective the first day of the month following the date on which the participant's disability has existed for five (5) months, or the date on which the participant submits a written application for disability retirement income, whichever is later."

Mr. Williams' specifics: first surgery was 6/15/2023 and he returned to work 2/1/2024. Second surgery was 12/17/2024 after which he did not return to work. He filed his disability application on 5/9/2025. Five months after 6/15/2023 is 11/15/2023, 5 months after 12/17/2024 is 5/17/2025 (which coincides with the date he filed his disability application). Five months after the Committee determined Mr. Williams is disabled is April 20, 2026.

RECOMMENDATION:

Determine commencement date for Mr. Williams' disability benefit

From: Pedro Herrera
To: Castronovo, Lisa
Cc: Jessica De la Torre Vila; jeffrey.amrose@grsconsulting.com; Amrose, Trisha
Subject: RE: GE Nonservice-connected Disability Benefit for Dwaine Williams
Date: Tuesday, January 6, 2026 2:00:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Lisa,

Understood and agree that using the date of the Board's determination could be seen as prejudicial to our member. The reason I used the date of the Board's determination is because pursuant to the ordinance the Board is charged with determining the disability and consequently it made that decision and determined him to be disabled at the hearing. The Board did not find that the disability had occurred earlier as part of its proceedings and to imply such here could be problematic.

Nonetheless, I am comfortable using his application date as the operative date here rather than the date of his last surgery. The fact that he did not return to work is not necessarily indicative of a disability as the argument could be made that he may very well have been "disabled" prior to that surgery and the surgery only confirmed such. Conversely, the Board did not determine he was disabled at that point and so we would need some clear indication that he has been deemed disabled at that point. It seems more nebulous or arbitrary to pick a date around that most recent surgery based on the facts here than to simply use the application date. Further, since the two dates are only a few weeks apart the impact to the plan is essentially the same.

Happy to discuss further.

Kindly,

Pedro

PEDRO A. HERRERA
PARTNER

SUGARMAN SUSSKIND BRASWELL & HERRERA
150 ALHAMBRA
SUITE 725
CORAL GABLES, FL 33134
OFFICE: (305)529-2801
FAX: (305)447-8115

From: Castronovo, Lisa <castronovol@mydelraybeach.com>

Sent: Tuesday, January 6, 2026 11:28 AM
To: Pedro Herrera <PHerrera@sugarmansusskind.com>
Cc: Jessica De la Torre Vila <jess@sugarmansusskind.com>; jeffrey.amrose@grsconsulting.com; Amrose, Trisha <trisha.amrose@grsconsulting.com>
Subject: RE: GE Nonservice-connected Disability Benefit for Dwaine Williams

Pedro,

For GE, there is no past practice since this is the first disability application filed in 20+ years. Dwaine filed his disability application on May 9, 2025. Since Dwaine did not return to work after his December 2024 surgery, that is the date his disability started from which we count 5 months; thus, I believe his benefit should start June 1, 2025. I don't think the five months should start on the date the Committee approved the application especially considering we all know it takes months after a disability happens before the application is even considered by a Board.

Regards,

Lisa Castronovo
Pension Administrator
(561) 243-7289
castronovol@mydelraybeach.com

PUBLIC RECORDS NOTE: Florida has a very broad public records law. Most written communications to or from local officials, employees, or the general public regarding City business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Pedro Herrera <PHerrera@sugarmansusskind.com>
Sent: Tuesday, January 6, 2026 11:14 AM
To: Castronovo, Lisa <castronovol@mydelraybeach.com>
Cc: Jessica De la Torre Vila <jess@sugarmansusskind.com>; jeffrey.amrose@grsconsulting.com; Amrose, Trisha <trisha.amrose@grsconsulting.com>
Subject: RE: GE Nonservice-connected Disability Benefit for Dwaine Williams

Lisa,

As usual you are correct! Typically, plans provide for the greater of either their accrued benefit or a minimum percentage. Here, the ordinance caps the member's non-service connected disability benefit at 50%. I agree that the disability benefit should be capped pursuant to the language in the ordinance and also agree that the conversion of the benefit upon eligibility provides a meaningful benefit that actually exceeds their accrued benefit at the time of their original disability.

Additionally, please see my comments below in red.

Kindly,

Pedro

PEDRO A. HERRERA

PARTNER

SUGARMAN SUSSKIND BRASWELL & HERRERA

150 ALHAMBRA

SUITE 725

CORAL GABLES, FL 33134

OFFICE: (305)529-2801

FAX: (305)447-8115

From: Castronovo, Lisa <castronovol@mydelraybeach.com>

Sent: Monday, January 5, 2026 11:58 AM

To: Pedro Herrera <PHerrera@sugarmansusskind.com>

Cc: Jessica De la Torre Vila <jess@sugarmansusskind.com>; jeffrey.amrose@grsconsulting.com; Amrose, Trisha <trisha.amrose@grsconsulting.com>

Subject: FW: GE Nonservice-connected Disability Benefit for Dwaine Williams

Importance: High

Good afternoon.

Please provide feedback for Mr. Williams' benefit so that we can get him in pay status.

Regards,

Lisa Castronovo

Pension Administrator

(561) 243-7289

castronovol@mydelraybeach.com

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From: Castronovo, Lisa

Sent: Tuesday, December 16, 2025 10:36 AM

To: jeffrey.amrose@grsconsulting.com; trisha.amrose@grsconsulting.com

Subject: FW: GE Nonservice-connected Disability Benefit for Dwaine Williams

Good morning,

Attached is the information you need to calculate the nonservice-connected disability benefit for GE Dwaine Williams. Below is an email I sent to Pedro requesting his opinion on some aspects of the calculation. You are welcome to provide your input. Before finalizing, though, I need to make sure we are all on the same page.

Regards,

Lisa Castronovo

Pension Administrator

(561) 243-7289
castronovol@mydelraybeach.com

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From: Castronovo, Lisa
Sent: Monday, December 15, 2025 5:20 PM
To: Pedro Herrera <pherrera@sugarmansusskind.com>
Cc: Jessica De la Torre Vila <jess@sugarmansusskind.com>
Subject: GE Nonservice-connected Disability Benefit for Dwaine Williams
Importance: High

Good afternoon, Pedro.

Three items for which I need your input regarding Dwaine Williams' nonservice-connected disability benefit:

1. When I briefly shared my calculation (attached) of Dwaine's nonservice-connected disability benefit when his application was discussed at last month's GE meeting, you quietly told me you didn't think it was correct because I limited his benefit to 50% of his final monthly compensation rather than paying his slightly higher current accrued benefit. Per Ord. Sec 35.097(C)(5)(a)(2), the maximum nonservice-connected disability benefit is 50% of final monthly compensation.
- (2) *Nonservice-Connected Disability.* The benefit payable to a participant who retires from the service of the City due to total and permanent disability not arising out of and in the course of city employment, after the completion of ten (10) years of credited service, shall be an amount equal to two (2) percent of final monthly compensation at the date of disability, multiplied by the years and tenths of years of credited service, subject to a maximum monthly retirement income of fifty (50) percent of final monthly compensation, and subject to offsets for social security and workers' compensation benefits in accordance with subsection (D)(5)(a)(4) of this Section.

It is only my opinion, but I believe it is limited like this because of the rather generous benefit the disability retiree will start receiving at age 65: the disability benefit they were receiving prior to age 65 (as offset by SS disability benefits) ceases and they will instead receive a normal retirement benefit (no SS disability benefit offset) calculated as though they continued working to age 65 (thus getting the years and months of service from date of disability thru age 65 added to their credited service as of their date of disability), and using final average earnings assuming their rate of basic compensation at the date of disability continued to age 65.

(b) *Normal Retirement Income Commencing on the Cessation of Disability Retirement Income.* If a participant's monthly disability retirement income from the plan ceases pursuant to subsection (C)(6)(c) of this Section, normal retirement income shall commence in accordance with this paragraph. For the purpose of this subsection, a participant's credited service shall include all periods of credited service as defined in Section 35.089 and Section 35.093 of this subchapter, and all years and tenths of years during which the participant received disability retirement income from the plan. Upon the cessation of disability retirement income pursuant to subsection (C)(6)(c) of this Section, the participant shall begin receiving monthly retirement income computed in the same manner as for normal retirement in accordance with subsection (A)(1) of this Section, based upon the participant's credited service as defined in this paragraph, and projected rate of final monthly compensation (as defined in this paragraph, below). The participant's projected rate of final monthly compensation shall be determined in accordance with Section 35.089(E) of this subchapter, but based on the assumption that the participant's rate of monthly basic compensation at the date of termination of city employment due to disability would have continued without change to the date disability retirement income ceased.

My attached calculation shows the benefit I believe Dwaine is to receive from now until age 65, and then what he will receive starting at age 65. Please review and let me know if you still believe Dwaine should receive his current accrued benefit as his disability benefit rather than the maximum benefit of 50% of final monthly compensation the Ordinance states. **See above.**

2. Per Ord. Sec. 35.097(C)(6), Dwaine's disability benefit is to commence the first day of the month following the later of 1) the date on which his disability has existed for 5 months, or 2) the date he filed his disability application. I don't find anything in the reports that expressly states the date the disability started. His first surgery was 6/15/2023; he returned to work 2/1/2024. Dwaine had a 2nd surgery on 12/17/2024 after which he did NOT return to work. Five months after 6/15/2023 is 11/15/2023; 5 months after 12/17/2024 is 5/17/2025; he filed his disability application on 5/9/2025. Since he returned to work after the first surgery, I believe his disability commencement date is 6/1/2025 since I think his "disability date" is 12/17/2024 rather than 6/15/2023. Do you agree? **What is the date of his disability application? How has this been handled in the past, if at all? The Board could interpret this language to mean that the date of his disability is when the Board granted the benefit which then would add 5 months to such. The language in the ordinance is fairly ambiguous so we could look to past practice and have the Board interpret the language accordingly. I would also recommend we establish a policy accordingly once the Board makes a decision.**
3. Do you agree Dwaine's benefit is to be reduced by the Social Security disability benefits he is now receiving with such reduction ceasing when he reaches age 65? **Yes, pursuant to Sec. D(5)(a)(4).**

Regards,

Lisa Castronovo CEBS, CPPT
Pension Administrator
City of Delray Beach
100 NW 1st Avenue
Delray Beach, FL 33444

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(561) 243-7166 (Fax)
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