

RESOLUTION NO. 16-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA ALLOWING JACK WARNER TO RETAIN HIS SEAT ON THE FIREFIGHTERS' RETIREMENT SYSTEM BOARD OF TRUSTEES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (hereinafter referred to as the "City") provides pension benefits to its firefighters and their beneficiaries through the Firefighters' Retirement System (the "Plan"). The Plan is administered by the Board of Trustees, which is comprised of five members. As part of its duties, the Board of Trustees is responsible for overseeing the investments of the Plan; and

WHEREAS, Jack Warner was appointed to the Board of Trustees in 2024. He has more than 40 years of experience in finance and served as the City's Chief Financial Officer from May 2014 through September 2016. He has held CEO and CFO positions in both the public and private sectors; and

WHEREAS, when Mr. Warner was appointed to the Board of Trustees, he was a resident of the City. However, he has recently moved and is no longer a resident of the City. He does not own property or a business within the City, and is not an officer, director, or manager of a business located in the City; and

WHEREAS, Section 32.06 of the City's Code of Ordinances provides that members who serve on city boards and committees shall be residents of or own property in the City, own a business within the City, or be an officer, director, or manager of a business located with this City; and

WHEREAS, Section 32.06 provides for an exception to this eligibility requirement when Florida law, or a resolution or ordinance adopted by the City Commission provides otherwise; and

WHEREAS, the Board of Trustees has declared that it relies on Mr. Warner's technical expertise and his deep knowledge of the financial markets when analyzing and evaluating the Plan's investments and investment strategy. For this reason, it requests that the City Commission adopt a Resolution allowing Mr. Warner to continue serving on the Board of Trustees; and

WHEREAS, the City Commission finds that Mr. Warner's specialized knowledge and experience is beneficial to the Plan in helping the Board of Trustees oversee the Plan's investments. Due to the specialized nature of the Board of Trustee's duties, the City Commission finds it to be in the Plan's best interest to waive the member eligibility requirements for Mr. Warner to allow him to remain on the Board of Trustees; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach desires to allow Jack Warner to retain his seat on the Firefighters' Retirement System Board of Trustees even though he is no longer a resident of the City, does not own property or a business in the City, and is not a manager or director of a business in the City.

Section 3. This City declares that the findings supporting this Resolution are specific to Mr. Warner. It is the City's intention that this Resolution does not have any precedential value and cannot be relied on as a basis to allow for other non-residents to be appointed to or retain a seat on a City board or committee.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney