

Agenda

Tampa Fire & Police Pension Board
3001 North Boulevard Tampa, FL 33603 (813) 274-8550

Thursday, August 28, 2008

Approximate start time 1:30 – 2:30 p.m. at conclusion of Executive Sessions

Moment of silence in remembrance of F&P Pension office family member Helen V. Basford who passed away July 29, 2008.

Minutes

1. Approval of the minutes of July 24, 2008 regular board meeting.
2. Approval of minutes of the August 14, 2008 Executive Session re: Motion for Sanctions in Case No. 03-9298, City of Tampa Retired Fire & Police Association, Inc., a Florida Corporation; and its Individual Members Bud Maxey, et al.

Consent Agenda Items on the consent agenda shall be acted upon in one motion. If an item requires additional discussion, that item shall be removed from the consent agenda for discussion. [Items 3 – 8]

3. Ratification of pension benefits.
4. Note receipt of investment performance report for the month ended 7/31/2008. Market value of *investments* as of 7/31/2008 was \$1,545,485,149. Investment return as of 7/31/2008 has been –5.1% so far this fiscal year to date 10/1/2007 – 7/31/2008.
5. Approve payment to Counsel R. Cohen for legal services rendered during July 2008 in the amounts of:
 - a. \$14,153.39 General Counsel
 - b. \$55.00 Maxey lawsuit
 - c. \$900.54 Parker lawsuit
 - d. \$1,850.00 Pena lawsuit
6. Note receipt of letter dated 8/3/2008 from retiree and spouse Mr. & Mrs. Roger Weaver regarding appreciation for exceptional, qualified, compassionate and efficient staff.
7. Note receipt of memo to Board of Trustees dated 8/20/2008 regarding dates, times and location for remaining three sets of quarterly pre-retirement workshops to be conducted in December 2008, February 2009 and May 2009 by Jeff Helms under contract with the board, all to be held at The Corporate Training Center at Hillsborough Community College (HCC) on Davis Islands, 39 Columbia Drive, Tampa, FL 33606.
8. Note that trustee elections are tentatively scheduled for:
 - a. Police – 12:00 noon – 8:00 p.m. Monday 10/6/2008 (B cycle) and Tuesday 10/7/2008 (A cycle)

Tampa Police Department, District 1	3818 West Tampa Bay Blvd., Tampa, FL 33614
Tampa Police Department, District 2	9330 North 30 th Street, Tampa, FL 33612
Tampa Police Department, District 3	3808 North 22 nd Street, Tampa, FL 33605
One Police Center	411 North Franklin Street, Tampa, FL 33602

New Business

16. Question regarding constructive receipt of retroactive pay fire union increase estimated to be paid in September or October 2008. [agenda item requested by Trustee T. Walker]
17. Request for commuted lump sum value of regular monthly pension benefits to active member retiring. Currently only available to Estate or Beneficiary of 10 Year Certain benefit (finite number of payments - 120) or de minimus benefits of less than \$100 per month or if the single-sum value of the accrued pension is less than \$5,000 for firefighters and \$2,500 for police officers. [agenda item requested by Trustee T. Walker]
18. Question of joint annuitants who are not also eligible surviving spouses eligibility for 13th check benefits. [agenda item requested by Trustee T. Walker]
19. Question of eligible surviving spouse monthly pension benefits ceasing upon remarriage (if police officer or firefighter not killed in the line of duty) and 13th check eligibility. [agenda item requested by Trustee T. Walker]
20. Consideration of rewrite of existing pension contract in plain language that is understandable (without changing any benefits). [agenda item requested by Trustee T. Walker]
21. Chair's call for any new business items from trustees to be placed on next agenda.
22. Note receipt of listing of upcoming conferences. Disclosure of planned attendance, if any.
23. Request to address the board by retiree C. Dabbs dated 7/30/2008 regarding information from the minutes on the last to [sic] hearings reference my disability retirement. Note receipt of excerpt from 7/22/2004 minutes #27 for background.
24. Request to address the board by retiree T. DePolis dated 8/20/2008 regarding the relationship between the TRF&PA and the board and requesting the board to act responsibly.
25. Request to address the board by retiree J. J. Oliva dated 8/20/2008 regarding sanctions settlement.

[Brief recess for Public Comment cards to be turned in.]
26. Chair's report.
27. Attorney's report.
28. Plan Administration.
 - a. 2008 Board meeting schedule:
September 25, 2008
October 23, 2008
November 20, 2008 *early due to holidays
December 18, 2008 *early due to holidays

- b. F&P pension office priorities, projects, deadlines.

Public Comments Limited to two (2) minutes per person and maximum of ten (10) persons.

Litigation

- 29. Motion for Taxable Costs in re: Case No. 03-9298, City of Tampa Retired Fire & Police Association, Inc., a Florida Corporation; and its Individual Members Bud Maxey, et al vs. Board of Trustees. Note receipt of the following:
 - a. Executive Session posting - scheduled 12:00 noon today, before board meeting, approximate length 30 minutes to one hour.
 - b. Letter dated 7/24/2008 from L. Vincent, President of TRF&PA regarding proposed settlement of motion for sanctions.
 - c. Letter dated 8/22/2008 from P. Gonyea regarding rescheduling of hearing on Motion for Sanctions.
- 30. Parker Lawsuit, Case No. 07-007198, John N. Parker, for himself and all others similarly situated vs. the Board of Trustees of the City Pension Fund for Firefighters and Police Officers in the City of Tampa. Note receipt of letter dated 7/15/2008 from J. Flynn of Buck Consultants in response to letter from Board Counsel R. Cohen regarding Parker v. Board of Trustees.
- 31. Pena Lawsuit, Case No. 08-013997, Fred Pena, for himself and all others similarly situated vs. the Board of Trustees of the City Pension Fund for Firefighters and Police Officers in the City of Tampa. Note receipt of the following:
 - a. Executive Session posting – scheduled approximately 12:30 – 1:00 p.m. start time today at the conclusion of the noon Executive Session and before the regularly scheduled board meeting.
 - b. Letter dated 7/18/2008 from J. B. Loper to R. Cohen transmitting First Amended Complaint without Exhibits (9 pages), Exhibit 7 and Exhibit 9.
 - c. Letter dated 8/6/2008 from P. Gonyea transmitting Answer and Affirmative Defenses to Plaintiff's First Amended Complaint.
 - d. Letter dated 8/7/2008 from J. B. Loper to R. Cohen and P. Gonyea requesting meeting.
 - e. Letter dated 8/8/2008 from P. Gonyea regarding being acknowledging being retained by Board of Trustees in this litigation.
 - f. Letter dated 8/13/2008 from P. Gonyea transmitting Plaintiff's Response to Defendant's Defenses.
 - g. Letter dated 8/13/2008 from P. Gonyea to J. B. Loper regarding unavailability due to prior commitments for requested meeting date and time.
 - h. Letter dated 8/13/2008 from J. B. Loper to P. Gonyea requesting other meeting dates.
 - i. Letter dated 8/15/2008 from P. Gonyea enclosing Plaintiff's First Set of Interrogatories.
 - j. Letter dated 8/18/2008 from P. Gonyea enclosing correspondence from J. B. Loper providing his (Loper's) interest calculations on this 13th check issue.
 - k. Letter dated 8/13/2008 received 8/20/2008 from Travelers Insurance declining coverage in Pena complaint.
 - l. Email dated 8/21/2008 from P. Gonyea transmitting email from J. B. Loper to R. Cohen and P. Gonyea transmitting six motions for sanctions.
 - m. Plaintiff's First Motion for Sanctions.
 - n. Plaintiff's Second Motion for Sanctions.
 - o. Plaintiff's Third Motion for Sanctions.

- p. Plaintiff's Fourth Motion for Sanctions
- q. Plaintiff's Fifth Motion for Sanctions.
- r. Plaintiff's Sixth Motion for Sanctions.

Notice

Any person who desires to appeal any decision of the Board of Trustees with respect to any matter considered at this Board meeting will need a record of the proceedings and for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is based.

Persons needing a special accommodation to participate in this meeting should contact the F&P pension office at (813) 274-8550 or (888) 335-8550 – toll free, or the Florida Relay Service at (800) 955-8770 – toll free, or dial 711 from any phone (regular phone/land line or cell phone) for the Florida Relay Service. Please make your requests at least five (5) working days before this meeting.