

Agenda
Tampa Fire & Police Pension Board
3001 North Boulevard Tampa, FL 33603 (813) 274-8550
Thursday, February 26, 2009 1:30 p.m.

Minutes

1. Approval of the minutes of the January 22, 2009 board meeting.

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 2 – 6]

2. Ratification of pension benefits.
3. Approve payment to Counsel R. Cohen for legal services rendered during January 2009 in the amounts of:
 - a. \$12,386.59 General Counsel
 - b. \$2,850.00 Parker lawsuit
 - c. \$27.50 Pena lawsuit
4. Note receipt of investment performance report for the month ended 1/31/2009. Market value of *investments* as of 1/31/2009 was \$1,070,695,721. Investment return as of 1/31/2009 has been -21.6% so far this fiscal year.
5. Bi-ennial (every other year) Pension Verification Questionnaires (PVQ) mailed 2/13/2009. As of 2/20/09, 435 of 1,523 total or 29% have been received.
6. Note educational sessions to be conducted by Jeff Helms in May at The Corporate Training Center at Hillsborough Community College (HCC) on Davis Islands, 39 Columbia Drive, Tampa, FL 33606.
 - a. Wednesday 05/06/2009 10:00 am & 7:00 pm
 - b. Thursday 05/07/2009 10:00 am & 2:00 pm

Medical Disability

7. Initial hearing for LOD disability applicant R. Knighton, TFR. Note receipt of Table of Contents for bate-stamped disability application package, including: disability application, qualifying letter, notice(s) of injury, pre-employment physical, firefighter job description, independent medical case manager summary review outline, disability process timeline, medical board reports and medical director's summary.
8. Authorize referral to orthopedic medical board composed of Dr. Brainard, Dr. Fishalow and Dr. Wasylik for LOD disability applicant Aimee Peters, TPD as recommended by Medical Director.

Old Business

9. Note receipt of P&P 802 Legal Opinions – recommended for deletion, based upon discussion at last board meeting.

New Business

10. Approve audited financial statements for fiscal year ended 9/30/2008 prepared by Ernst & Young, received 2/16/2009.

11. Note receipt of listing of upcoming conferences. Disclosure of planned attendance, if any.
12. Note receipt of request to address the board by retiree G. Wrenn regarding:
 - a. In severe downturns in the market, are funds transferred from non-allocated COLA to allocated COLA, and if not, why not?
 - b. Request that the board conduct the evaluation of the board administrator in a private meeting.
13. Chair's call for any new business items from trustees to be placed on next agenda.

[Brief recess for Public Comment cards to be turned in.]

14. Chair's report.
15. Attorney's report.
16. Plan Administration.
 - a. 2009 Board meeting schedule:
 - March 26, 2009
 - April 23, 2009
 - May 28, 2009
 - June 25, 2009
 - July 23, 2009
 - August 27, 2009
 - September 24, 2009
 - October 22, 2009
 - November 19, 2009 *early due to holidays
 - December 17, 2009 *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

17. 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 1/28/2009 from P. Gonyea transmitting Plaintiff's First Set of Interrogatories.
18. 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 letter dated 2/5/2009 from J. B. Loper to R. Cohen & P. Gonyea regarding hearing scheduled on Tuesday 2/24/2009 and subpoena duces tecum for hearing for J. Campbell to bring documents, all of which were previously admitted in Plaintiff's First request for Admissions.

19. Executive Session to be held at the end of the regular board meeting [approximate start time between 1:45 p.m. and 2: 15 p.m., duration approximately one hour]
 - a. Board counsel request for advice concerning Parker lawsuit and explanation of legal requirements for the Closed / Executive Session, limited to litigation expenditure strategy and potential settlement discussions in 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.
 - b. Chairman's announcement that only current trustees, Mark Bogush, Sharon Fox, PJ Gray, Patrick Lynch, Mark McRae, Jimmy Meier, Cynthia Miller, John Moors, and Tracy Walker, Board Counsel R. Cohen, Co-counsel P. Gonyea, Plan Administrator J. D. Campbell, and a court reporter are authorized to attend the Closed/Executive Session.
 - c. A court reporter will be present to take a verbatim transcript of the Closed / Executive Session. The transcript will not become a public document until the conclusion of this litigation in its entirety.
 - d. Closed / Executive Session to be convened.
 - e. Meeting to be reopened to the public.
 - f. Board motions, if any.

20. Executive Session to be held at the end of the regular board meeting, after first Executive Session [approximate start time between 2:45 p.m. and 3:15 p.m., approximately one half hour]
 - a. Board counsel request for advice concerning Pena lawsuit and explanation of legal requirements for the Closed / Executive Session, limited to litigation expenditure strategy and potential settlement discussions in 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.
 - b. Chairman's announcement that only current trustees, Mark Bogush, Sharon Fox, PJ Gray, Patrick Lynch, Mark McRae, Jimmy Meier, Cynthia Miller, John Moors, and Tracy Walker, Board Counsel R. Cohen, Co-counsel P. Gonyea, Plan Administrator J. D. Campbell, and a court reporter are authorized to attend the Closed/Executive Session.
 - c. A court reporter will be present to take a verbatim transcript of the Closed / Executive Session. The transcript will not become a public document until the conclusion of this litigation in its entirety.
 - d. Closed / Executive Session to be convened.
 - e. Meeting to be reopened to the public.
 - f. Board motions, if any.

21. Educational Session – Securities Litigation and Monitoring to be conducted by Atara Hirsch from the law firm of Abraham, Fruchter & Twersky LLP. One hour of continuing professional education (CPE), start time after regular board meeting and two Executive Sessions, between approximately 3:15 p.m. and 3:45 p.m.

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.