

**Agenda**  
**Tampa Fire & Police Pension Board**  
**3001 North Boulevard Tampa, FL 33603 (813) 274-8550**  
**Thursday, October 15, 2009 1:30 p.m.**

Minutes

1. Approval of the minutes of the September 24, 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. Approve payment to Board Counsel R. Cohen for legal services rendered during September 2009 in the amounts of:
  - a. \$2,621.99 General Counsel
  - b. \$12,184.78 Parker lawsuit
3. Note that \$87,871.08 from Firefighters Supplemental Compensation Trust Fund was received 10/7/2009. Note receipt of updated spreadsheet with 28 years of historical state premium tax monies received to reflect this distribution.
4. Note that quarterly financial planning and pension educational workshops are to be held at the F&P Pension office at 3001 North Boulevard as follows:

Tuesday	1/5/2010	10:00 am	and	6:00 pm
Wednesday	1/6/2010	10:00 am	and	2:00 pm
5. Note receipt of flyer advising that Wes Adwell was unopposed and will serve as firefighter trustee for the term commencing 11/1/2009 and expiring 10/31/2012.
6. Admit Tampa Fire Rescue members to pension fund effective 09/21/2009 contingent upon: 1) furnishing a list of all medical providers and authorizations to obtain such medical records; and 2) passing a complete medical examination

Clemons	Shimeon	D.
Parrott	Joshua	M.
Harris	David	A.
Bunch	Matthew	T.
Cowen	Gregory	J.
Cedela	Nicholas	P.
Hillery	Jeffrey	D.
Kelley	Dale	C.
Lash	Kyle	A.
Mauch	Stacy	A.
New	Steven	
Rousseau	Dustin	G.
Vincent	Danielle	B.
Shipp	Christopher	L.
Dell III	Ralph	C.
Jefferson	Matthew	W.

7. Investment Management Performance Presentation by Jay Bowen of Bowen, Hanes & Co., Inc.
  - a. Note receipt of investment performance report for the month ended 9/30/2009. Market value of *investments* as of 9/30/2009 was \$1,275,523,192. Investment return as of 9/30/2009 was -4.3% this fiscal year.
  - b. Note receipt of bond portfolio memo dated 10/6/2009 and recommendation to hold.
  - c. Note receipt of article entitled "Consultants Touted Firm Accused in Fraud" from *Wall Street Journal* dated 2/27/2009.
8. Proxy voting – agenda item requested by trustee C. Miller at 7/23/2009 board meeting for October board meeting when Jay Bowen is present.
  - a. Note receipt of Bowen, Hanes & Company, Inc. Notice of General Proxy Voting Policies & Procedures (received 7/15/2003).
  - b. Note receipt of Proxies Voted report for quarter ended 9/30/2009 prepared by BH&Co.

#### Medical Disability

9. Authorize referral to cardiac Medical Board composed of Drs. Casellas, Dormois and Mokotoff as recommended by Medical Director Dr. Bruce Bohnker in letter dated 9/25/2009 for LOD disability applicant Patrick Messier, TPD.
10. Initial hearing for LOD disability applicant Rudy Garrett, TPD. Note receipt of date-stamped disability application, qualifying letter, notices of injury, pre-employment physical, firefighter job description, disability process timeline, summary review outline by independent medical case manager, sample letter to Medical Board, Medical Board reports, and Medical Director's summary.

#### New Business

11. Note receipt of listing of upcoming conferences. Disclosure of planned attendance, if any.
12. Request for Board authorization regarding City Council motion of 9/23/2009: *That Council schedules a workshop on January 28, 2010 at 9:00 a.m. to discuss and explain the Fire and Police Fire [sic] Trust Fund issues and to also discuss whether there is anything that Council or the Fire and Police Pension Board can do to reduce the City's obligation; further, that Bonnie Wise, Director of Finance; Cynthia Miller, Director of Growth Management and Development Services; and a representative of the Fire and Police Pension Board be invited to attend and participate in said workshop.* Agenda item requested by trustee C. Miller at 9/24/2009 board meeting.
13. Reminder that deadline for local bill submission is **November 20, 2009 at noon**.
  - a. Note receipt of flow chart of steps to make changes to Tampa F&P pension plan (previously circulated with 8/27/2009 agenda).
  - b. Note receipt of memo dated 8/18/2009 to City and Unions requesting minor changes to pension contract regarding investment counsel singular vs. plural (see also attached memo dated 3/28/2005 to City and Unions and investment committee minutes regarding same) and trustee elections vs. meeting clarification.

- c. Board Counsel determination of amendments/clean up language needed for compliance with statutes. For example, Section 6 of pension contract needs to be amended to increase international investment authority from 10% to 25% per Chapter 2009-97 that amended Chapters 175 and 185 effective 7/1/2009.
- d. Note receipt of draft memo to City and Unions dated 10/15/2009 requesting minor amendment to pension contract regarding increasing international investment authority from 10 to 25%.

14. 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.]

15. Chair's report.

16. Attorney's report.

17. Plan Administration.

F&P pension office priorities, projects, deadlines.

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

#### Litigation

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. Update by board counsel, if any.

19. 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. Update by board counsel, if any.

- a. Note receipt of letter dated 10/2/2009 from R. Cohen to W. Thomas regarding settlement offer of \$250,000 for attorney's fees that was rejected by W. Thomas.
- b. Note receipt of posting for Executive Session to be held at the end of today's regular board meeting, if necessary. (approximate start time between 2:45 p.m. and 3:45 p.m. duration approximately one hour)
- c. 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.
- d. Chairman's announcement that only current trustees, Wes Adwell, Mark Bogush, Sharon Fox, PJ Gray, Rich Griner, Patrick Lynch, Mark McRae, Cynthia Miller, and John Moors, 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.
- e. 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.
- f. Closed / Executive Session to be convened.
- g. Meeting to be reopened to the public.

- h. Board motions, if any.

#### 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.

#### 2009 Board meeting schedule

November 19, 2009 \*early due to holidays  
December 17, 2009 \*early due to holidays

#### 2010 Board meeting schedule

January 28, 2010  
February 25, 2010  
March 25, 2010  
April 22, 2010  
May 27, 2010  
June 24, 2010  
July 22, 2010  
August 26, 2010  
September 23, 2010  
October 28, 2010  
November 18, 2010 \*early due to holidays  
December 16, 2010 \*early due to holidays