

**Agenda**  
**Tampa Fire & Police Pension Board**  
**3001 North Boulevard Tampa, FL 33603 (813) 274-8550**  
**Thursday, November 19, 2009 1:30 p.m.**

Election of Board Officers

Chairman  
Vice Chairman  
Secretary

Minutes

1. Approval of the minutes of the October 15, 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 – 7]

2. Ratification of pension benefits.
3. Note receipt of Bowen, Hanes & Co. investment performance report for the month ended 10/31/2009. Market value of *investments* as of 10/31/2009 was \$1,253,505,630. Investment return as of 10/31/2009 has been -1.3% so far this fiscal year.
4. Approve payment to Board Counsel R. Cohen for legal services rendered during October 2009 in the amounts of:
  - a. \$8,374.36 General Counsel
  - b. \$10,220.58 Parker lawsuit
5. 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
6. Note receipt of memo dated 10/15/2009 from Mayor Iorio reappointing C. Miller to the board for three year term commencing 11/1/2009 ending 10/31/2012.
7. Admit Tampa Fire Rescue members to pension fund effective 10/19/2009 contingent upon: 1) furnishing a list of all medical providers and authorizations to obtain such medical records; and 2) passing a complete medical examination:

Bibiloni, David N.  
Carballa, Gregory B.  
Childres, Shane M.  
Corso, Jordan d.  
Dunn, Tyler J. D.  
Linder, Michael L.  
Mestre, Marc A.  
Mitchell, Dustin a.  
Nasworthy, Erik W.

Nelson, III Darlee C.  
O'Donnell, John W.  
Oliveros, Carlos G.  
Sledd, Michael H.  
Swanson, Christina S.  
Smith, Brandon O.

Medical Disability

8. Authorize referral to Orthopedic Medical Board composed of Drs. Clinton Davis, Bernard Fishalow, and Michael Wasyluk as recommended by Medical Director Dr. Bruce Bohnker in letter dated 10/16/2009 for LOD disability applicant Joseph Perez, TFR.
9. Note receipt of disabilities in process status/update. Possibility of two initial hearings and one full hearing at December 17, 2009 board meeting.
10. Financial Presentation by Mark Lenker, external CPA of Nobles, Decker, Lenker & Cardoso
  - a. Note receipt of 8/31/2009 financials.
  - b. Note receipt of and presentation of financial statements for the month ended 9/30/2009, and
  - c. Fiscal year ended 9/30/2009 - prepared by Mark Lenker of Nobles, Decker, Lenker & Cardoso. To be reviewed at meeting by Mr. Lenker.
11. Board approval of the following DROP statement components as per board policy and procedure:
  - a. DROP investment return calculation for fiscal year ended 9/30/2009. To be distributed and reviewed at meeting by Mr. Lenker.
  - b. DROP administrative fee calculation for fiscal year ended 9/30/2009. To be distributed and reviewed at meeting by Mr. Lenker.

Old Business

12. Note receipt of substantially revised Policy & Procedure 108 – Procedure for Hearings Before Board.

New Business

13. Note receipt of COLA increases for 2010 as calculated by Buck Consultants.
  - a. Note receipt of excerpt - 2010 Cumulative COLA factors (for quick reference).
  - b. Note receipt of sample COLA award letter from Class 1 (longest retired) dated 11/20/2009.
14. Milliman letter, actuarial firm under contract with Division of Retirement.
  - a. Note receipt of letter dated 9/25/2009 from Milliman requesting that response be directed to Keith Brinkman.
  - b. Note receipt of response letter dated 11/9/2009 from J. Beattie at Buck addressing actuarial issues.
  - c. Note receipt of response letter dated 11/9/2009 from R. Cohen addressing legal issues.
15. Note receipt of petition recently received regarding multiplier/pension contract changes, including listing of 30 persons submitting.

16. Note receipt of listing of upcoming conferences. Disclosure of planned attendance, if any.
17. Status of local bill submission – deadline is **November 20, 2009 at noon**.
18. Note receipt of agenda appearance request received 11/2/2009 from D/C R. Spicola, TFR regarding obtaining TFR new hire/recruit physicals/medical records et al.
  - a. Note receipt of email dated 10/30/2009 from R. Spicola regarding same.
  - b. Note receipt of email from trustee W. Adwell regarding recruit physicals and contacting D/C Spicola.
  - c. Note receipt of excerpt from 1/24/2008 minutes, #8 – TFR Occupational Health nurse requesting access to post-offer, pre-employment medical exams for new hires.
  - d. Note receipt of excerpt from 2/28/2008 minutes #9 – unanimous vote by board to deny access to new hire medical records by Occ Health/TFR.
19. 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.]

20. Chair's report.
21. Attorney's report.
22. 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

23. 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.
24. 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 the following:
  - a. Notice of Status Conference before Judge Nielsen 11/24/2009 at 11:00 a.m. prepared by R. Cohen 10/19/2009.
  - b. Motion to Modify Class Certification Order (to force opt-outs back in) submitted by W. L. Thomas 11/2/2009
  - c. Request for Oral Argument on Motion to Modify Class Certification Order submitted by W. L. Thomas 11/2/2009.

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

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