

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
OF THE
TAMPA FIREFIGHTERS & POLICE OFFICERS PENSION BOARD
3001 North Boulevard
Tampa, FL 33603 (813) 274-8550
Thursday, February 23, 2006 1:30 p.m.**

The Board of Trustees of the City Pension Fund for Firefighters and Police Officers in the City of Tampa met in the Pension Office Conference Room on Thursday, February 23, 2006 at 1:30 p.m. for a regular meeting with the following members present:

Marc Hamlin, Chairman
Patrick Lynch, Vice Chairman
John Moors, Secretary

Sharon Fox
Dan Lombard
Jimmy Meier
Tracy Walker

Also present were James B. Loper - Board Counsel, Mark Lenker – External CPA, active and retired plan members.

Minutes

1. Approval of minutes of January 26, 2006 Regular Board Meeting. **It was moved by Mr. Lynch, seconded by Mr. Moors and by unanimous vote to approve the minutes of the January 26, 2006 regular board meeting as written.**

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 – 5] **It was moved by Mr. Lynch, seconded by Mr. Lombard and by unanimous vote to approve the consent agenda, items 2-5.**

2. Ratified pension benefits.
3. Noted receipt of Bowen, Hanes & Co. Investment Performance report for the month ended January 31, 2006. Investment return so far this fiscal year +6.0%. Market value of *investments* as of 1/31/2006 \$1,408,559,465.
4. Approved payment to James B. Loper for legal services rendered during January 2006 in the amounts of:
 - a. \$1,780.75 General counsel services
 - b. \$20,618.45 Retiree's litigation
5. Noted receipt of revised P&P 105 – Distribution of Minutes revised 12/15/2005, now signed. *Please remove and replace in your policy & procedure manuals.*

Medical Issues

6. Authorized referral to orthopedic medical board composed of Dr. Fishalow, Dr. Kriz and Dr. Wasylik as recommended by Medical Director for LOD disability applicant Stuart C. Weiss, TPD. Noted receipt of disability application, qualifying letter, notice of injury(ies), pre-employment physical, job description and disability application timeline. **It was moved by Mr. Lynch,**

seconded by Mr. Walker and by unanimous vote to authorize referral to the medical board composed of Dr. Fishalow, Dr. Kriz and Dr. Wasyluk as recommended by Medical Director for Stuart C. Weiss, TPD LOD Disability applicant.

7. Noted receipt of graphic representation of disability applications currently in process. **It was moved by Mr. Lynch, seconded by Mr. Moors and by unanimous vote to receive and file item 7.**

Old Business

8. Retiree's declaratory action. No action requested. For information purposes only due to pending litigation. Noted receipt of the following:
- Letter dated 1/24/2006 from J. B. Loper to Clerk of Court transmitting Trustees' Amendment to Motion to Modify Clerk's List of Defendant Exhibits and Trustees' Notice of Filing.
 - Letter dated 1/25/2006 from J. B. Loper to Clerk of Court transmitting Amended Notice of Hearing on Trustees' Motions.
 - Letter dated 2/7/2006 from J. B. Loper to T. Carrington regarding Proposed Order on Trustees' Motions on Exhibits.

It was moved by Mr. Lynch, seconded by Mr. Moors and by unanimous vote to receive and file item 8.

9. Rock Creek Center Committee Chair report
- Noted receipt of independent property appraisal for remaining 20+ acres dated 1/18/2006 by Taylor, Pope & Herring. Appraised value \$770,000.

It was moved by Mr. Lynch, seconded by Mr. Moors and by unanimous vote to receive and file item 9a.

- Key elements of additional offer from Portrait Homes was reviewed by RCC Committee Chair:
 - \$770,000 sales price (appraised value)
 - \$10,000 earnest money
 - 90 days to close from the date the Board of Trustees formally accepts offer
 - 60 days to notify Board if they do not intend to close and \$10,000 earnest money is returned to them
 - If they notify Board after 60 days that they do not intend to close, the \$10,000 earnest money is forfeited to the fund
 - 8% commission to be split between P. M. Hendren and buyer's broker (not two separate commissions, Hendren is agreeing to share his 8% contractual commission).

Mr. Lynch recommended that the board approve this offer as written. Mr. Moors asked Mr. Lynch what the difference was between the original sales price compared to the interim offers/counter offers and to the final sales price offer. Mr. Lynch responded that the final offer was 30% above the newly obtained independently appraised value. Mr. Moors stated that over the years Rock Creek Center had been a good diversifying investment for the pension fund, and he is looking forward to researching different avenues in real estate through a committee to further diversify the portfolio of the fund. **It was moved by Mr. Lynch, seconded by Mr. Walker and by unanimous vote to approve the offer from Portrait Homes.**

New Business

10. Noted receipt of listing of upcoming conferences. Disclosure of planned attendance, if any. On Ms. Miller's behalf, Ms. Campbell disclosed Ms. Miller's upcoming conference attendance as requested -- Ms. Miller will not be attending the NCPERS-Trustees Educational Seminar, April 28-29, 2006, but does plan to attend the 5th Annual Stars & Stripes conference, April 2-4, 2006 which Mr. Lombard plans to attend as well. Ms. Campbell disclosed that she plans to attend the Division of Retirement 27th Annual Police Officers' & Firefighters' Pension Trustees' School, March 13-15, 2006. The following disclosed plans to attend the June FPPTA Conference: Ms. Campbell, Mr. Lombard, Mr. Lynch, Ms. Miller, Mr. Moors, and Mr. Walker. Mr. Lombard noted that he plans to attend the FPPTA Trustees School, October 8-11, 2006. **It was moved by Mr. Lynch, seconded by Ms. Fox and by unanimous vote to receive and file item 10.**

11. Plan Administration.

- a. 2006 schedule
- | | |
|--------------------|----------------------------------|
| March 23, 2006 | 1:30 p.m. |
| April 27, 2006 | 1:30 p.m. |
| May 25, 2006 | 1:30 p.m. |
| June 22, 2006 | 1:30 p.m. |
| July 27, 2006 | 1:30 p.m. |
| August 24, 2006 | 1:30 p.m. |
| September 28, 2006 | 1:30 p.m. |
| October 26, 2006 | 1:30 p.m. |
| November 16, 2006 | 1:30 p.m. *early due to holidays |
| December 14, 2006 | 1:30 p.m. *early due to holidays |
- b. Overview of eligibility dates in pension contract for benefit eligibility timing in typical retirement scenario as requested by trustee. Ms. Campbell explained the eligibility dates and timing for different retirement scenarios in detail through a graphic outline of the process. For example, retiring or entering DROP prior to 9/30/06 to qualify for the January 2007 COLA and June 2008 13th check, if any. Ms. Campbell also stated that by policy and by contract the board has to announce the amount of the 13th check, if any, by May 31st of each year.
- c. The topic of direct deposit and emergency preparedness was discussed. Mr. Hamlin had discussion with Major Bennett of TPD on the back up systems to the payroll process in the event of a catastrophic hurricane hitting Tampa. Questions were posed such as, how many retirees do not have direct deposit that could be affected? What back up systems would be used in order to ensure that retirees who are not enrolled in direct deposit get paid? Having just attend a City-wide EOC/Emergency Preparedness meeting at the City, Ms. Fox responded on how the City of Tampa will use their back-up procedures for those with direct deposit and those with no direct deposit. Ms. Fox explained that the back-up system for direct depositors would include wire transfers to ensure the money will be placed in the appropriate employee and retiree accounts. Ms. Fox also explained the back-up system for those without direct deposit, payment will not be as rapid. The back up procedure through an alternate contract would depend on the damage to City Hall, road safety, the safety of City employees who have to process the manual checks, etc. Ms. Fox reported that the non-direct depositors would receive their paycheck, but not as quickly as a direct deposit employee. Ms. Campbell reported that less than 10% of fire and police retirees do not have direct deposit as a result of previous projects initiated by F&P and ultimately Board policy effective 10/1/02 requiring direct deposit for those retiring on or after 10/1/02. Mr. Hamlin

suggested writing a letter to the small percentage of retirees who do not have direct deposit encouraging them to participate in direct deposit. Ms. Campbell agreed and suggested she draft the letter with Ms. Fox's input and approval since Ms. Fox attended the City's EOC meeting that discussed this topic in detail. **It was moved by Mr. Lynch, seconded by Mr. Walker and by unanimous vote to have the Plan Administrator draft a letter for input and direction from Ms. Fox regarding direct deposit for the retirees who do not participate in direct deposit and present to the board at a future meeting.**

- d. Mr. Walker asked Ms. Campbell what the requirements were to include overtime in the calculation when figuring a retirement benefit. Ms. Campbell stated that a benefit calculation is based upon what the member was actually paid (including overtime) in pensionable earnings until midnight before entering DROP or longevity. The calculation includes pensionable income paid in the highest three of the last ten years of service up to the date of DROP entry or longevity retirement, noting that in nearly all cases it is the last seventy-eight pay cycles. But once entering DROP, the benefits are calculated, frozen and locked in and do not change due to raises, overtime, promotions, etc., occurring after entering DROP. Ms. Campbell suggested viewing it as the cash basis of accounting as opposed to the accrual basis of accounting. Ms. Campbell recommended that if you work a large amount of overtime or have reached your max of 300 hours of pensionable overtime to be sure you get paid for it in a timely fashion before making an irrevocable election such as entering DROP or retiring on longevity.

The meeting was adjourned at 1:45 pm.

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.

March 23, 2006 board meeting: It was moved by Mr. Moors, seconded by Mr. Lombard and by unanimous vote to approve the minutes of the February 23, 2006 board meeting as written.