

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
OF THE
TAMPA FIRE & POLICE PENSION FUND
3001 North Boulevard Tampa, FL 33603 (813) 274-8550
March 27, 2019 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 Wednesday, March 27, 2019 1:30 p.m. for a regular meeting with the following members present:

Greg Reed, Chairman
Douglas Burkett
Matthew Belmonte
John Cannon

Trevor Hall
Patrick Messmer
Ocea Wynn

Also present were Dr. Bruce Bohnker, Medical Director, Mr. Stuart Kaufman, General Counsel, Mr. Mark Lenker, External CPA, and active and retired plan members.

Public Comments: Pursuant to Florida Statutes, Section 286.0114(4) members of the public may comment on items requiring Board action, other than ministerial matters. Speakers are limited to two minutes each, and not more than 20 minutes will be set aside for comments, without further Board approval. Speakers shall fill out a card identifying the speaker and the agenda item(s) they wish to address. Speakers may also submit a card supporting or objecting to an item without speaking. Rules of conduct are available from the Plan Administrator.

The statements made by speakers under Public Comments are solely the opinion of each speaker and do not necessarily reflect the views of the Board of Trustees, its staff, or its professionals.

1. Approved the minutes of the February 27, 2019 regular board meeting. **It was moved by Mr. Cannon, seconded by Mr. Messmer and by unanimous vote to approve the minutes of the February 27, 2019 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 – 10] **It was moved by Mr. Messmer, seconded by Mr. Cannon and by unanimous vote to approve consent agenda items 2 through 10.**

2. Ratified pension benefits.
3. Investment Management Report from Bowen, Hanes & Co. Inc. Noted receipt of the following:
 - a. Investment management report for the month ended 02/28/2019: Market value of *investments* was \$2,057,059,353.34. Investment return has been -2.2% (*negative 2.2%*) on the total portfolio so far this fiscal year.
 - b. Addendum distributed at the meeting. Market value of *investments* as of 03/26/2019 was \$2,054,312,186. Investment return has been -2.3% (*negative 2.3%*) on the total portfolio so far this fiscal year.
4. Approved billing for General Counsel services rendered by Klausner, Kaufman, Jensen & Levinson during February 2019:
 - a. General – \$13,268.46
 - b. Appel – \$2,380.00

- c. Bulger – \$2,165.00
 - d. Houston, L – \$10,665.00
 - e. PAS – \$3,605.00
5. Noted receipt of independent performance measurement report prepared by IPS for the quarter ended 12/31/2018.
 6. Approved GASB 68 Disclosures prepared by Foster & Foster for fiscal year ending 09/30/2018.
 7. Approved 2019 Poverty Guidelines, as published by the US Department of Health and Human Service, for changes to poverty level pension benefit amounts: Family of 1 statistic = \$1,040.83/month, Family of 2 statistic = \$1,409.17/month.
 8. Noted receipt of Disability Process Timeline of disabilities in process as of 03/21/2019.
 9. Admitted Tampa Fire Rescue new hires to pension fund effective 03/25/2019, contingent upon 1) furnishing a list of all medical providers and authorizations to obtain such medical records and 2) passing a complete medical examination:

Biondoletti, Ryan	Johnson, Kaleb	Phillips, Amanda
Boyett, Christine	Kriz, Jesse	Pierre-Charles, Claude
Burnham, Timothy	Ligori, Nicholas	Reynolds, Zachary
Cieslak, Derek	Mankes, Zachary	Rosaci, Jon
Hencke, Bradley	McClelland, Kevin	Sheehan, Matthew
Holloway, Jacob	Munoz, Francisco	Swearingen, Corey
 10. Noted that Jody Clayton will conduct Retirement & Financial Planning Educational Workshops at 10:00am and 2:00pm on the dates listed below. These workshops are free, open to the public, and can apply towards continuing professional education (CPE) for trustees and staff.

Thursday, May 2, 2019

Friday, May 3, 2019

Medical Disability

11. Informal hearing for LOD disability applicant R. Floyd, TFR. Noted receipt of disability application, qualifying letter, notice of injury reports, pre-employment physical, job description, sample letter to Medical Board, Medical Board reports, Medical Director's summary, medical records, and other documents related to the case.

Mr. Floyd and Dr. Bohnker were sworn in and responded to questions from the Board. Mr. Kaufman noted that the applicant was made aware of the fact that 7 out of 9 trustees will be present at today's hearing and that approval of his disability application will require 5 affirmative votes. Mr. Floyd agreed to go forward with 7 trustees.

Mr. Hall noted that in a deposition, Mr. Floyd did not relate his PTSD to a specific event. Mr. Floyd agreed and advised that he relates it to an accumulation of a number of events. Discussion ensued regarding the symptoms of PTSD and Mr. Floyd's symptomology. Mr. Floyd advised that he went through extensive testing with regards to his digestive system and his test results came back normal, which is when the focus shifted to a potential psychological cause. There was discussion about Mr. Floyd's prior statements about

being interested in teaching at paramedic school given the triggers for his condition. There were questions raised about statements in Mr. Floyd's medical records about previous treatment for anxiety and the triggers he described to his physician at that time that were not related to his position as a firefighter and predated the documented issues Mr. Floyd experienced at work. Mr. Floyd described a choking event, as well as a time where he experienced heart palpitations that his physician later tied back to his diagnosis of PTSD. He noted that he had two periods of light duty over the course of his career and his symptoms improved with time off, but returned when he went back to work. Mr. Messmer asked Dr. Bohnker if not having a clearly defined event is cause for concern. Dr. Bohnker replied that it is not, and noted that Mr. Floyd being present at a call with two wounded police officers who later died was a big event. When asked, Mr. Kaufman advised that the new worker's compensation law regarding PTSD does not have an impact on the Board's ruling. Questions were raised about the possibility of Mr. Floyd's symptomology being caused by a combination of anxiety issues, history of depression, the choking event, and digestive issues. Dr. Bohnker advised that this is a possibility. Mr. Messmer asked who initially diagnosed Mr. Floyd with PTSD. Mr. Floyd advised that his personal doctor that he initially saw for mindfulness training and eating issues later diagnosed him with PTSD. **It was moved by Mr. Burkett, seconded by Mr. Hall and by unanimous vote to deny the line of duty disability application of Ryan Floyd because he has not met the burden of proof as to causation.**

Mr. Kaufman advised that Mr. Floyd will receive an order on the informal hearing and will have an opportunity to request a formal hearing.

[Brief recess from 2:21 to 2:26 p.m.]

Old Business

12. Committee #3 report. It was noted that the committee's March 5th meeting was cancelled, but it has been rescheduled for Tuesday, April 9th at 1:00 p.m.
13. Committee #1 report. Mr. Cannon reported that the committee met and discussed various enhancement options for the Fund's retirement and financial planning workshops, noting that the committee is still exploring options to bring before the Board at a future meeting.
14. Discussion on Board room audio/visual system.
 - a. Quote provided by T&I.
 - b. Quote provided by The Audio Visual Group.
 - c. Quote provided by AVI-SPL.

Ms. Ernst advised that since the Board's last discussion she was able to obtain two additional quotes from other vendors, as well as a revised quote from the City's vendor. She provided a quick review of her meetings with each vendor and their respective pricing and discussion ensued. It was noted that AVI-SPL provided a service and support quote for maintenance. Ms. Ernst confirmed that regardless of the selected vendor, the Fund would be responsible for any additional electrical work and having the wall reinforced to support the mounting of the proposed monitor. Concerns were raised regarding the possibility of T&I not being able to support the audio/visual system. Ms. Ernst advised that T&I would service the network computer connected to the system, and the selected vendor would likely service the rest of the system. **It was moved by Mr. Hall, seconded by Ms. Wynn and by unanimous vote to move forward with AVI-SPL for the audio/visual system installation.**

New Business

15. Noted receipt of listing of upcoming conferences. Disclosure of planned attendance, if any. Mr. Burkett advised that he will attend the Client Conference hosted by Mr. Klausner's firm, as well as the IFEBP Annual Conference in October in San Diego. Mr. Cannon, Mr. Messmer, and Ms. Wynn also disclosed for the Client Conference. **Item 15 was received and filed.**
16. Chair's call for any new business items from trustees to be placed on next agenda. Mr. Hall advised that he expects to be prepared for the office renovation discussion at the next board meeting.
17. Chair's report. Mr. Reed advised that he and Ms. Ernst have a meeting with Kimberly Crum in Human Resources regarding the Fund's involvement with the City's health insurance open enrollment process. Mr. Kaufman asked for an update on the related indemnification agreement and Ms. Ernst advised that she would get an update at the meeting.
18. Plan Administration.
 - a. City RFP for psychological services
 - b. Update on PAS implementation

Ms. Ernst advised that the City has issued a request for proposal (RFP) for psychological services and asked if the Board still has interest in hiring a psychiatrist for new hire pre-employment evaluation. She explained that if the Board wishes to proceed, the matter should be assigned to committee so an RFP can be drafted. Ms. Ernst noted that she expects the new evaluations to be more thorough, but added that the review is from a negligent hire perspective, as opposed to a pre-existing condition perspective. Discussion ensued and Ms. Ernst agreed to get the Medical Director's opinion on the matter.

Regarding the pension system implementation, Ms. Ernst advised that LRWL has been onsite and is doing a good job keeping the project on track. She noted that the project kickoff meeting is scheduled for Wednesday, April 3rd at 8:30 a.m. and encouraged attendance.

It was noted that 17% of pension verification questionnaires remain outstanding and the deadline is Friday, March 29th. Ms. Ernst noted that a second notice was sent out earlier this week.

19. Attorney's report. Mr. Kaufman advised that the Board previously approved an agreement for advocate services for the Spellman matter, however, he didn't realize that the approval was specific to that case. He explained that the Truong matter will be coming before the Board soon and requested the Board authorize the Chairman to execute an agreement to represent the Fund in all disability matters. **It was moved by Mr. Burkett, seconded by Mr. Messmer and by unanimous vote to authorize the Chairman to execute an amended service agreement with Mr. Srebnick to include all disability matters.**

Litigation

20. Artz Lawsuit
Update by plan attorney, if any.
- 2nd District Court of Appeals Case No. 2D15-1342
Hillsborough County Circuit Court Case No.07-012048

Mr. Kaufman advised that the Judge in this case has declared that the 5th Amended Complaint will be what the case travels under. He noted that the Board is not part of the lawsuit with the exception of attorney's

purpose, may need to ensure that a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is based.

Persons needing a special accommodation to participate in any noticed meeting should contact the F&P Pension office at (813) 274-8550 or (888) 335-8550 or the Florida Relay Service at (800) 955-8770 (voice) or (800) 955-8771 (TTY). You may also dial 711 from any landline or mobile phone. Additional options for contacting the Florida Relay Service may be found on their website: www.ftri.org Please make your request at least five (5) working days before the scheduled meeting date.

2019 Board meeting schedule – meetings begin at 1:30 p.m.

April 24, 2019
May 22, 2019
June 26, 2019
July 24, 2019
August 28, 2019

September 25, 2019
October 23, 2019
November 20, 2019 (early due to holidays)
December 18, 2019 (early due to holidays)