

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Thursday, January 14, 2010 at 9:15 a.m., in Conference Room R, 2nd floor, City Hall at 400 S. Orange Avenue, Orlando, Florida. There was a quorum.

Member(s) Present:

J. Smith, Chairman
V. Montgomery, Secretary
R. Sutton, Vice-Chair
A. Blanca, Trustee
R. Thames, Trustee

Also Present:

C. McCullion, Executive Director
R. Brown, Attorney for M. Rudd, K. Brewster
S. Kaufman, Board Attorney (via telephone)
K. Zuccarini, Employee Benefits
S. Hoffman, FOP
S. Burlon, Pension Coordinator
M. Rudd, Disability Applicant
K. Brewster, Disability Applicant

1. **APPROVAL OF MINUTES**

R. Sutton advised trustees of a typographical error in the minutes. A MOTION TO APPROVE THE MINUTES OF THE MEETINGS OF DECEMBER 10TH AND 17TH, 2009 WITH THE CORRECTION IN THE CONSENT AGENDA was made by R. Sutton and seconded by R. Thames; MOTION CARRIED UNANIMOUSLY.

2. **PENDING**

a. **PRE-HEARING DECISION ON KIMBERLY BREWSTER**

R. Brown made a statement regarding K. Brewster's case. Discussion ensued. A MOTION TO TABLE A DECISION ON THIS CASE UNTIL THE NEXT MEETING SO THE TRUSTEES CAN REVIEW THE MATERIAL FURTHER was made by J. Smith and seconded by T. Blanca; R. Thames opposed; MOTION CARRIED.

b. **PRE-HEARING DECISION ON MICHAEL RUDD**

Trustees agreed they were prepared to have the Disability Hearing for M. Rudd.

Chairman Smith advised that this was the time set for the Disability Hearing of Michael Rudd. The disability notebook, IME and affidavit from the Department Advocate, Kimberly Laskoff were submitted into evidence. Randy Brown represented the applicant. R. Brown gave his opening statement. Chairman Smith advised that the evidence phase was now closed and asked if any trustees had questions. No questions were asked. R. Brown gave his closing statement.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THERE IS A PERMANENT AND TOTAL DISABILITY, AS DEFINED BY THE POLICE PENSION PLAN, was made by V. Montgomery and R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT BASED UPON THE EVIDENCE PROVIDED THAT NO PRE-EXISTING CONDITION HAD A CAUSAL RELATIONSHIP TO THE DISABILITY CLAIMED was made by T. Blanca and seconded by V. Montgomery; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED THE DISABILITY INJURY INCURRED WAS A LINE OF DUTY DISABILITY was made by J. Smith and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

Chairman Smith advised that the affidavit K. Laskoff furnished stated that Police Chief V. Demings did not have a light duty position available without any reduction in pay or benefits.

A MOTION THAT BASED UPON THE EVIDENCE AND TESTIMONY PROVIDED OF THE EXISTENCE OF A PERMANENT AND TOTAL DISABILITY THAT THE LINE OF DUTY DISABILITY BENEFITS COMMENCE ON FEBRUARY 1, 2010 AND THE PENSION COORDINATOR WILL FURNISH A FINAL ORDER was made by J. Smith and seconded by V. Montgomery; **MOTION CARRIED UNANIMOUSLY.**

c. **STATUS OF DISABILITY APPLICATIONS**

APPLICANT	DATE OF APPLICATION	BOOKS SUBMITTED	IME APPT	IME RECEIVED	Injury	HEARING OR OTHER INFO
Darren Braddy	12/10/08	1/30/09	3/03/09	3/11/09	9/3/07 surgery on 6/10/08	On 5/4/09 Steve Cypen hired.
Kimberly Brewster	4/27/09 9/16/09 @ MMI	9/22/09	2 ND ime, 11/23/09	12/9/09	7/21/07	Dept. Adv. Notice filed
Kim M. Garcia	10/26/09	12/8/09	1/18/10		8/25/08	
William Gipson, Subsequent Disability App	6/28/07	6/28/07	2/10/09	3/12/09	No longer employed	4/13/09 R. Cohen hired
Brett Licciardello	10/26/09				5/5/09	
Eduardo Lopez	10/1/09	12/09	12/28/09		7/3/08	
Gary J. Wilkins	10/14/09	11/24/09	1/18/10		9/3/08	
Audrey White Harris	10/22/09				11/06/08	Not at MMI

S. Kaufman advised that S. Cypen and R. Cohen would like to have a conference call with the Chairman to review how they should proceed on the cases assigned. A MOTION TO HAVE THE CHAIRMAN PARTICIPATE IN A CONFERENCE CALL WITH ALL THREE ATTORNEYS REGARDING THE DISABILITY CASES PENDING, was made by R. Sutton and seconded by T. Blanca; MOTION CARRIED UNANIMOUSLY.

S. Hoffman advised that Brett Licciardello's books are at the printer and should be delivered within the next week. A. White is still not at MMI and may retire awaiting her disability hearing.

d. **THORNBURG CONTRACT UPDATE**

S. Kaufman reviewed his concerns and the side letters he has requested from Thornburg.

e. **BLBG CONTRACT**

R. Klausner is working on the contract.

3. **NEW BUSINESS**

a. **BNY MELLON SECURITIES LENDING
SUPPORT AGREEMENT (LEHMAN BROTHERS)**

C. McCullion reviewed the securities lending loss that the boards incurred due to the Lehman Brothers situation and how BNY Mellon has proposed to make up the difference in losses if we stay with the program for an additional three years. A MOTION TO HAVE THE BOARD ATTORNEY REVIEW THE AGREEMENT UP TO ONE HOUR IN TIME AND IF THERE IS NO OBJECTION AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT WITH BNY MELLON, was made by R. Sutton and seconded by J. Smith; MOTION CARRIED UNANIMOUSLY.

C. McCullion advised that asset backed securities took a large hit but is rebounding and there are no immediate concerns. He will give a securities lending update again in the future.

Meeting adjourned at 10:05 a.m.

Respectfully submitted,

Shelly Burlon

Rochelle (Shelly) Burlon
Pension Coordinator