

Chairman J. Smith called the Orlando Police Pension Board Meeting to order on Wednesday, June 24, 2009 at 2:00 p.m., in Conference Room R, 2nd floor, City Hall at 400 S. Orange Avenue, Orlando, Florida. A quorum was present.

Member(s) Present:

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

Member(s) Absent:

L. Singletary, Trustee

Also Present:

C. McCullion, Executive Director
S. Kaufman, Board Attorney (via telephone)
S. Burlon, Pension Coordinator
K. Zuccarini, Employee Benefits
R. Brown, Applicant Attorney
J. Hunter, Disability Applicant
S. Hoffman, FOP
S. Troise, Court Reporter

1. DISABILITY HEARING FOR JEFFREY T. HUNTER

Chairman Smith advised that this was the time set for the Disability Hearing of Jeffrey T. Hunter. The disability notebook, IME and affidavit from the Department Advocate, Lee Ann Freeman were submitted into evidence. Randy Brown represented the applicant. Chairman Smith asked R. Brown to give his opening statement which he waived. R. Brown waived testimony. 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 THAT THERE IS A PERMANENT AND TOTAL DISABILITY, AS DEFINED BY THE POLICE PENSION PLAN, was made by R. W. Sutton and V. Montgomery; MOTION CARRIED UNANIMOUSLY.

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

Chairman Smith advised that the affidavit L. Freeman 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 JULY 1, 2009 AND THE PENSION COORDINATOR WILL FURNISH A FINAL ORDER was made by J. Smith and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

The Board took a five minute break.

2. APPROVAL OF MINUTES

A MOTION TO APPROVE THE MINUTES OF MAY 7 AND JUNE 4, 2009 was made by T. Blanca and seconded by R. Sutton; **MOTION CARRIED UNANIMOUSLY.**

3. CONSENT AGENDA

<u>Employee Name</u>	<u>Monthly Amount</u>	<u>Retirement Date</u>
Jeffrey Hunter	\$4, 200.28	May 1, 2009
Charles Peyton	\$4,401.19	June 1, 2009
Michele Pearson	\$4,589.50	June 1, 2009
Carol Waters	\$4,189.36	June 1, 2009

A MOTION TO ACCEPT THE CONSENT AGENDA AS PRESENTED was made by R. Sutton and V. Montgomery; **MOTION CARRIED UNANIMOUSLY.**

4. PENDING

a. STATUS OF DISABILITY APPLICATIONS

S. Burlon gave an update on the pending 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				7/21/07 will be terminated on 9/27/09	Not at MMI as of 6/1/09
William Gipson, Subsequent Disability App	6/28/07	6/28/07	2/10/09	3/12/09		On 3/26/09 R. Cohen hired. Taking depositions of two doctors and should have hearing in October.

UPDATE-APPEALS-DAVID MIXON

S. Kaufman advised that no response has been received from the Circuit Court yet.

b. SEGAL COMPANY-CONTRACT EXTENSION

C. McCullion advised the Board that the contract is in final stages and should be completed by the end of the week.

5. NEW/GENERAL APPEARANCE/OTHER BUSINESS

a. AMENDMENTS TO CHAPTER 185-SB538 - REQUIRED PLAN CHANGES

S. Kaufman reviewed the changes made by the passing of this bill. Primary provisions which would have to be added to our plan by a Special Act/Local Bill are:

- 1) Longer trustee terms of office from two to four years. (Optional)
- 2) Foreign securities cap from 10% to 25% based on market value. (Optional)
- 3) Not to invest in the business activities of Iran and Sudan. This does not pertain to mutual funds and index funds that are commingled. (Required)
- 4) Substitution of replacement joint annuitants. (Optional)
- 5) Clarification of fiduciary and related duties. (R. Sutton suggested that Stu re-familiarize the Board with a refresher session before the end of the fiscal year.) (Required)

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b. **99-1 MINIMUM BENEFITS-UPDATE**

K. Zuccarini asked when the 99-1 minimum benefits might be enacted. Chairman Smith advised that would have to be negotiated with the Union and the City then a Special Act/Local Bill would have to add the changes to the plan, and nothing would be effective until possibly July 1, 2010.

The meeting adjourned at 2:30 p.m.

Respectfully submitted,

Rochelle L. Burlon

Rochelle (Shelly) L. Burlon, Pension Coordinator