



**MINUTES FROM MEETING**  
**OF**  
**August 16, 2017**

Chairman Zabin called the meeting to order at 10:00 AM in the Agenda Conference Room, 2<sup>nd</sup> floor of City Hall and determined a quorum was present.

<b><u>Members</u></b>	<b><u>Also Present</u></b>
Douglas Zabin, Chairman	Katrina Laudeman, Executive Director
Eddie Torres, Vice Chair	Michelle McCrimmon, Deputy CFO
Jason Franklin, Secretary	Matt Dickey, Deputy Executive Director
Mario Garcia, Trustee	James Loper, Board Attorney
Christopher McCullion, Trustee	Dionna Little, Department Advocate
	Dawn Sumter, Firefighter
	Mike Clelland, Attorney
	Sean Sumter
	Bryan Smith, Firefighter
	Katie Zuccarini, Employee Benefits (10:15 AM)
	Michele Keane, Pension Coordinator

**1) PUBLIC COMMENT**

Chairman Zabin asked for public comment. There was none.

**2) DAWN SUMTER QUASI JUDICIAL HEARING**

Chairman Zabin turned the meeting over to Mr. Loper, Board Attorney for the Firefighters' Pension Board, requesting he explain the hearing process. Mr. Loper stated this is the time set aside for Dawn Sumter's Quasi Judicial Hearing where she is requesting the Firefighters' Pension Board's approval to buy back two years of time for credited service from 1993 to 1995. He cited Florida Statutes 175.032 (6). Mr. Loper noted the hearing is being recorded and will be conducted in an informal manner but consistent with constitutional requirements of due process and equal protection.

Ms. Sumter was represented by Mr. Clelland. The Department was represented by Ms. Little.

Mr. Loper stated that the burden is on Ms. Sumter, as the applicant, to provide competent substantial and preponderance of the evidence.

Ms. Sumter was sworn in by Ms. Keane.

Mr. Loper stated that all of the evidence in the file has been accepted into evidence. For the record he listed all of the documents, emails and letters.

Mr. Loper referred everyone to his email dated March 30, 2017 and explained the issues the Board will need to consider in deciding this case.

Mr. Clelland made his opening statement.

Ms. Little made her opening statement. Mr. Clelland responded and referred to a document containing a job description for the position of Public Information Officer. Mr. Loper and Ms. Little both stated they had not previously seen this document. Some discussion ensued. Copies were made and distributed to the Board members.

Mr. Clelland asked Ms. Sumter questions about her responsibilities, roles, and expectations of the job of Public Information Officer when first hired, to which she replied. Mr. Clelland asked for the two page document titled "City of Orlando Public Education/Information Officer" and the five page document titled "Firefighter/Paramedic Job Summary" to be admitted into evidence. Mr. Loper asked if Ms. Little had any objections to the documents being admitted. She objected on the grounds that the documents were not provided to the Board prior to this meeting, and had not been admitted into evidence. Mr. Loper asked for clarification on some terminology and job descriptions. Questions were asked by Board members and answered by Ms. Sumter. **A MOTION TO ACCEPT THE "CITY OF ORLANDO PUBLIC EDUCATION/INFORMATION OFFICER" AND THE "FIREFIGHTER/PARAMEDIC JOB SUMMARY" INTO EVIDENCE** was made by Mr. Garcia and seconded by Chairman Zabin; **MOTION CARRIED UNANIMOUSLY.**

Ms. Little asked Ms. Sumter several questions about the two documents just admitted into evidence and her job application. Ms. Sumter answered all of the questions. Mr. Loper also asked some questions to which Ms. Sumter responded.

Mr. Clelland redirected, asking questions about Civil Service / Non-Civil Service duties. Ms. Sumter answered the questions.

Mr. Loper, Ms. Little and several of the Board members asked Ms. Sumter questions. She replied to all.

Mr. Clelland made his closing statements.

Ms. Little made her closing statements.

Mr. Clelland rebutted.

Mr. Loper stated the hearing is now at the decision stage and stated the first issue for the Board to consider. Some discussion ensued.

**A MOTION THAT THE POSITIONS OF FIRE SAFETY SPECIALIST, PUBLIC SAFETY EDUCATION OFFICER AND PUBLIC INFORMATION OFFICER WITH THE CITY OF ORLANDO FIRE DEPARTMENT DURING THE TIME THAT DAWN SUMTER HELD SUCH POSITIONS DID NOT REQUIRE HER TO BE CERTIFIED AS A FIREFIGHTER IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTES 633.35 AS A CONDITION OF EMPLOYMENT** was by Mr. McCullion and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

**A MOTION THAT THE CIVIL SERVICE RULES OF THE CITY OF ORLANDO DID NOT REQUIRE THAT THE POSITIONS OF FIRE SAFETY SPECIALIST, PUBLIC SAFETY EDUCATION OFFICER AND PUBLIC INFORMATION OFFICER BE A MEMBER OF THE ORLANDO FIREFIGHTERS' PENSION** was made by Mr. McCullion and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

**A MOTION THAT THE PERIOD OF TIME THAT DAWN SUMTER WAS EMPLOYED AS A FIRE SAFETY SPECIALIST, PUBLIC SAFETY EDUCATION OFFICER AND PUBLIC INFORMATION OFFICER WITH THE CITY OF ORLANDO FIRE DEPARTMENT NOT BE COUNTED AS CREDITED SERVICE WITH THE CITY OF ORLANDO FIREFIGHTERS' PENSION PLAN** was made by Mr. McCullion and seconded by Chairman Zabin; **MOTION CARRIED UNANIMOUSLY.**

**A MOTION THAT THIS CLAIM IS BARRED BY THE FLORIDA STATUTE OF LIMITATIONS, FLORIDA STATUTES 95.11** was made by Mr. Garcia and seconded by Mr. McCullion; **MOTION CARRIED UNANIMOUSLY.**

Mr. Loper stated he will prepare the Final Order. A short recess was taken at 12:20 PM at which time Ms. Sumter, Mr. Clelland and Mr. Sumter left the meeting.

Meeting resumed at 12:25 PM.

#### **APPROVAL OF MINUTES FROM JULY 20, 2017**

**A MOTION TO APPROVE THE MINUTES OF JULY 20, 2017** was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

#### **3) APPROVAL OF CONSENT AGENDA – THERE WAS NONE**

#### **4) PENDING / OLD BUSINESS UPDATE**

- a. Disability Update – Chairman Zabin noted there are three disabilities in progress and Timothy Longest's hearing is scheduled for the September 21st meeting. Ms. Little noted that the Fire Department is not challenging Mr. Longest's request and she will not be

present for his hearing. Either Ms. Williams or someone else she assigns to the case will attend Mr. Longest's hearing.

b. Securities Litigation Update – Ms. Laudeman stated there aren't any outstanding litigations.

**5) NEW BUSINESS**

a. The review of Policies & Procedures 6 – 10 was tabled until the next meeting.

b. Chairman Zabin stated he had received a call from an investigator for the Florida Department of Financial Services - Worker's Compensation. They had received an anonymous video about disability retiree Mike Caraway and were passing along the information. Mr. Caraway's file will be reviewed and the video will be discussed at the next regularly scheduled meeting in September.

**6) ADJOURNMENT**

A motion to adjourn the meeting was made by Chairman Zabin and seconded by Mr. Garcia. There being no further business, the meeting adjourned at 12:43 AM.

Respectfully submitted,

*Michele Keane*

Michele Keane  
Pension Coordinator