



MINUTES FROM MEETING
OF
November 16, 2017

Chairman Zabin called the meeting to order at 9:07 AM in the Sustainability Conference Room, 2nd floor of City Hall and determined a quorum was present.

<u>Members</u>	<u>Also Present</u>
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	Natasha Williams, Department Advocate
	Casey Preston, Firefighter
	Herbert Hill, Attorney
	Laura Green, Court Reporter
	Joseph Calderon, Firefighter
	Jeanette Cartagena
	Henry Preston
	Jared Preston, Firefighter
	Lex Dixon, Firefighter
	Donnovan Siplin
	Desiree Siplin
	William Steele Jr.
	Richard Pagan, Firefighter
	Deputy Fire Chief Ian Davis (9:34 AM)
	Dolores Bracero, Police Officer
	Cheryl Middleton, Police Officer
	David Harris, Nyhart
	Katie Zuccarini, Employee Benefits
	Michele Keane, Pension Coordinator

1) PUBLIC COMMENT

Chairman Zabin asked for public comment. There was none.

2) DISABILITY HEARING – CASEY PRESTON

Chairman Zabin stated this is the time set aside for Casey Preston's disability hearing and noted the hearing is being recorded and that a court reporter is present. He stated the hearing will be conducted in an informal manner but consistent with constitutional requirements of due process

and equal protection. Chairman Zabin asked if the applicant was present. Mr. Preston replied “yes”. Mr. Preston was represented by Mr. Hill, and the attorney for the Firefighters’ Pension Board is Mr. Loper. Ms. Williams represented the Fire Department. Chairman Zabin turned the meeting over to Mr. Loper, asking him to explain the disability hearing process.

Mr. Loper stated that the applicant’s package, Mr. Loper’s documents, listed as “additional information for Preston hearing”, Mr. Hill’s November 9, 2017 memorandum, and Ms. Williams’ November 9, 2017 email are all part of the records accepted into evidence. Mr. Loper then read Ms. Williams’ email that stated “I have reviewed Mr. Preston’s IME report and consulted with the Chief. The department will not oppose Mr. Preston’s application and there is not a current position within the department available for Mr. Preston with his restrictions.”

Mr. Loper stated he, Ms. Williams and Mr. Hill had a pre-conference phone call on November 14th and reached agreement on several issues but understand that the Board members will make the final decisions.

Mr. Loper stated the five issues that will be considered.

Mr. Hill made his opening statement. He discussed Mr. Preston’s background and summarized the incidents and injuries leading to the hearing.

Ms. Williams made her opening statement, noting she will be focusing on the independent medical examination and the findings of Drs. Stewart and Hendrix

Deputy Fire Chief Davis, of the Orlando Fire Department, entered the room at 9:34 AM and was sworn in by Ms. Keane. Mr. Hill questioned him about the August 29, 2016 car accident Mr. Preston was involved in. Chairman Zabin and Mr. Loper also asked Chief Davis questions about the incident and Mr. Preston’s role while reporting to him. Ms. Williams did not have any questions and Chief Davis left the meeting at 9:37 AM.

Mr. Loper stated the hearing is now at the decision stage. Chairman Zabin asked the Board members if they had any questions and some discussion ensued.

A MOTION THAT CASEY PRESTON IS TOTALLY AND PERMANENTLY DISABLED was made by Mr. Garcia and seconded by Chairman Zabin; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE DISABILITY IS NOT A LINE OF DUTY DISABILITY was made by Chairman Zabin and seconded by Mr. Franklin. Discussion ensued. Chairman Zabin withdrew his motion.

A MOTION THAT THE DISABILITY IS A LINE OF DUTY DISABILITY was made by Mr. McCullion and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THERE IS NOT A LIMITED DUTY POSITION AVAILABLE, AS STIPULATED BY MS. WILLIAMS' EMAIL, was made by Chairman Zabin and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT MR. PRESTON DOES NOT HAVE TWENTY YEARS OF SERVICE was made by Mr. Garcia and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE LINE OF DUTY DISABILITY BE GRANTED EFFECTIVE JULY 1, 2017 was made by Chairman Zabin and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

A short recess was taken at 10:58 AM at which time Mr. C. Preston, Mr. Hill, Ms. Williams, Ms. Green, Mr. H. Preston, Ms. Cartagena, Mr. and Mrs. Siplin, Mr. Steele the two police officers and the four firefighters left the meeting.

Meeting resumed at 11:09 AM at which time Chairman Zabin introduced Mr. Harris of Nyhart.

3) ACTUARIAL ASSUMPTIONS REVIEW

Mr. Harris noted that today's discussion is to set the stage for the assumptions that will be used for the October 1, 2017 valuation. The only recommendation he suggests is to further lower the assumed rate of return from the current rate of 7.75% to 7.5%. Some discussion ensued.

A MOTION TO ADOPT A FIVE-YEAR GLIDEPATH, STARTING WITH THE OCTOBER 1, 2017 VALUATION, LOWERING THE ASSUMED RATE OF RETURN FROM 7.75% TO 7.50% OVER FIVE YEARS (5 BASIS POINTS A YEAR) was made by Mr. McCullion and seconded by Chairman Zabin; **MOTION CARRIED UNANIMOUSLY.**

4) APPROVAL OF MINUTES FROM OCTOBER 19, 2017

A MOTION TO APPROVE THE MINUTES OF OCTOBER 19, 2017 was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

5) APPROVAL OF CONSENT AGENDA

Ms. Zuccarini brought a change in Mr. Longest's retirement amount to Chairman Zabin's attention. Chairman Zabin noted the correct amount. **A MOTION TO ACCEPT THE CONSENT AGENDA, AS AMENDED, WAS MADE BY** Chairman Zabin and seconded; **MOTION CARRIED UNANIMOUSLY.**

6) PENDING / OLD BUSINESS UPDATE

- a. Disability Update – There was none.
- b. Securities Litigation Update – Ms. Laudeman stated there were additions last month.
- c. Michael Caraway Update – Mr. Loper did not have an update.

Mr. McCullion thanked Mr. Loper for his assistance with Casey Preston's hearing. Mr. Loper thanked Ms. Laudeman for bringing Policy # 013 and the 15-day rule to submit additional documents to his attention. Mr. McCullion suggested the Board review the disability application and clarify it as much as possible for the applicant. (Ms. McCrimmon left the meeting at 11:38 AM.)

7) NEW BUSINESS

Mr. Loper advised the Board that he will be unavailable for the May 17, 2018 meeting.

Chairman Zabin asked to have the topic of beginning the search for Mr. Loper's replacement put on the January agenda. Discussion Ensued.

Chairman Zabin cancelled the December 21, 2017 meeting.

8) ADJOURNMENT

The meeting adjourned at 11:44 AM.

Respectfully submitted,

Michele Keane

Michele Keane
Pension Coordinator