



MINUTES FROM MEETING
OF
August 21, 2018

Chairman Zabin contacted Mr. Loper by telephone and called the meeting to order at 9:03 AM in the Pixel and Cyber Conference Rooms, 5th floor of City Hall. He determined a quorum was present.

<u>Members</u>	<u>Also Present</u>
Douglas Zabin, Chairman	Katrina Laudeman, Executive Director
Eddie Torres, Vice Chair	Matt Dickey, Deputy Executive Director
Jason Franklin, Secretary	Michelle McCrimmon, Deputy CFO
Mario Garcia, Trustee (9:07 AM)	James Loper, Board Attorney (by phone)
Christopher McCullion, Trustee (9:24 AM)	Andrea Morgan, Department Advocate
	Natasha Williams, Department Advocate
	Lori Janeczek, Employee Benefits
	Garrard Harris, Firefighter
	James Spears, Mr. Harris' Attorney
	Timothy Granada, Firefighter
	Audrey Castro, Mr. Granada's Attorney
	Christine Barone
	Jennifer Granada
	Darran Caudle, WKMG
	Ron Glass, Firefighter
	Mike DeForest, WKMG
	Chris DeMaagd, Firefighter
	Michael Caraway, Retired Firefighter
	Virgil Kent, Retired Firefighter
	James Reyes, Firefighter
	Dan Madden, Firefighter
	Lee Sorensen, Firefighter
	Nicholas Reed, Firefighter
	Michele Keane, Pension Coordinator

1) PUBLIC COMMENT

Chairman Zabin asked for public comment. There was none.

2) DISABILITY HEARING GARRARD HARRIS

Mr. Loper explained the hearing process and the five determinations the Board will be addressing. (Mr. Garcia joined the meeting at 9:07 AM.) Chairman Zabin noted the Independent Medical Examination, disability packet and the August 15, 2018 email from Ms. Williams stating the City is not contesting the application and there is not a limited duty job available for Mr. Harris, would be accepted into the record. Mr. Harris was sworn in by Ms. Keane. Chairman Zabin stated this is the time set aside for Garrard Harris' disability hearing. It will be recorded and conducted in an informal manner but consistent with constitutional requirements of due process and equal protection.

Mr. Harris was represented by Mr. Spears. The Department was represented by Ms. Williams and Ms. Morgan.

Mr. Spears made his opening statement. He spoke about the accident that occurred on June 8, 2017 and the injuries that Mr. Harris sustained. Mr. Spears noted the doctors' findings and the restrictions Mr. Harris is under. It was also stated Mr. Harris has been in a "no pay" status since July 15, 2018.

Ms. Williams and Ms. Morgan waived opening statements.

No testimony was presented.

Mr. Spears, Ms. Williams and Ms. Morgan waived closing statements.

Chairman Zabin declared the evidentiary phase of the hearing was closed and the determination phase open.

A MOTION, BASED UPON THE EVIDENCE PRESENTED, THAT GARRARD HARRIS IS TOTALLY AND PERMANENTLY DISABLED was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THIS IS A LINE OF DUTY DISABILITY was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THERE IS NOT A LIMITED DUTY POSITION AVAILABLE, PER MS. WILLIAMS' EMAIL DATED AUGUST 15, 2018, was made by Chairman Zabin and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE LINE OF DUTY DISABILITY BE GRANTED EFFECTIVE AUGUST 1, 2018 was made by Chairman Zabin and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT MR. HARRIS DOES NOT HAVE TWENTY YEARS OF SERVICE AND IS NOT ENTITLED TO COST OF LIVING ADJUSTMENTS was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

Chairman Zabin thanked Mr. Harris for his service to the City of Orlando.

A short recess was taken at 9:23 AM. (Mr. McCullion joined the meeting at 9:24 AM.)

The meeting resumed at 9:28 AM.

3) DISABILITY HEARING TIMOTHY GRANADA

Chairman Zabin stated this is the time set aside for Timothy Granada's disability hearing. It will be recorded and conducted in an informal manner but consistent with constitutional requirements of due process and equal protection.

Mr. Granada was represented by Ms. Castro. The Department was represented by Ms. Williams and Ms. Morgan.

Chairman Zabin asked if anyone needed the hearing process explained. Ms. Castro, Ms. Williams and Ms. Morgan all declined.

Mr. Granada was sworn in by Ms. Keane.

Chairman Zabin noted the Independent Medical Examination, disability packet and the August 15, 2018 email from Ms. Williams stating the City is not contesting the application and there is not a limited duty job available for Mr. Granada, will be accepted into the record.

Ms. Castro made her opening statement, speaking about the June 8, 2017 accident that Mr. Granada was involved in and his injuries. She noted the treatments he has undergone and the findings of the doctors. Ms. Castro added that he has been in a "no pay" status since July 15, 2018.

Ms. Williams and Ms. Morgan waived opening statements.

No testimony was provided.

Closing statements were waived by all.

Chairman Zabin stated the evidentiary phase of the hearing was closed and the determination phase open.

A MOTION, BASED UPON THE EVIDENCE PRESENTED, THAT TIMOTHY GRANADA IS TOTALLY AND PERMANENTLY DISABLED was made by Chairman Zabin and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

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

A MOTION THAT THERE IS NOT A LIMITED DUTY POSITION AVAILABLE, PER MS. WILLIAMS' EMAIL DATED AUGUST 15, 2018, was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT THE LINE OF DUTY DISABILITY BE GRANTED EFFECTIVE AUGUST 1, 2018 was made by Chairman Zabin and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

A MOTION THAT MR. HARRIS DOES NOT HAVE TWENTY YEARS OF SERVICE AND IS NOT ENTITLED TO COST OF LIVING ADJUSTMENTS was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

Chairman Zabin thanked Mr. Granada for his service.

A short recess was taken at 9:39 AM at which time Mr. Granada, Mrs. Granada, Ms. Barone, Ms. Castro, Firefighters DeMaagd, Reyes, Madden, Sorensen and Reed left the meeting.

The meeting resumed at 9:44 AM.

APPROVAL OF MINUTES FROM JULY 19, 2018

A MOTION TO APPROVE THE MINUTES OF July 19, 2018, was made by Mr. Franklin and seconded by Mr. Torres; **MOTION CARRIED UNANIMOUSLY.**

4) APPROVAL OF CONSENT AGENDA

A MOTION TO APPROVE THE CONSENT AGENDA was made by Chairman Zabin and seconded by Mr. Franklin; **MOTION CARRIED UNANIMOUSLY.**

5) PENDING / OLD BUSINESS UPDATE

a. Disability Update

Michael Griffin:

Chairman noted Mr. Griffins' application has not yet been received.

Michael Caltagirone:

Chairman Zabin noted Mr. Caltagirone's notebook has not yet been received.

b. Securities Litigation Update

Ms. Laudeman stated the chart shows the outstanding items from last month.

c. Michael Caraway Update

Mr. Loper explained the process of having a retired employee re-examined and recalled under Section 20 of the Plan. He noted Mr. Caraway provided medical documents from 2007 through 2017 and submitted to an Independent Medical Examination, IME, on July 16, 2018. The findings of Dr. Zahrawi concluded that Mr. Caraway's condition has not changed since he was granted a Line of Duty disability on September 20, 2017; Mr. Caraway is still unable to perform the duties of a firefighter. Mr. Loper recommended the Pension Board not proceed any further with this investigation.

Chairman Zabin thanked Mr. Caraway for his cooperation over the past year. He summarized that the Board had received information that there was a possibility Mr. Caraway's disability status had changed since he was granted a line of duty disability pension in 2007. It was incumbent on the Board to act on this information and they did so through the actions stated by Mr. Loper. The results of the IME are clear that Mr. Caraway's condition remains unchanged.

A MOTION TO FOLLOW THE RECOMMENDATION OF THE PENSION BOARD ATTORNEY, BASED ON THE REASONS LISTED ABOVE, AND NOT PROCEED FURTHER WITH THE INVESTIGATION INTO MICHAEL CARAWAY'S DISABILITY was made by Chairman Zabin and seconded by Mr. Garcia; **MOTION CARRIED UNANIMOUSLY.**

Mr. Caraway, Mr. DeForest and Mr. Caudle left the meeting at 9:59 AM.

6) NEW BUSINESS

Mr. Loper stated he has been working on a transition of duties and the contract with Bonni Jensen.

7) ADJOURNMENT

There being no further business the meeting adjourned at 10:03 AM.

Respectfully submitted,

Michele Keane

Michele Keane
Pension Coordinator