

**MINUTES
SPECIAL PENSION BOARD MEETING
CITY OF HOLLYWOOD EMPLOYEES' RETIREMENT FUND
THURSDAY, SEPTEMBER 8, 2016**

1. CALL TO ORDER

Chair Shaw called the meeting to order at 2:03 p.m.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Board Members present: Chair Phyllis Shaw, Vice-Chair Jeffrey Greene, Chris Cassidy, George Keller (arrived at 2:10 p.m.), Mel Standley (arrived at 2:11 p.m.), and Richard Templeton. Board member(s) absent: Charles Howell. Also present: Pension Coordinator, Lisa Castronovo; Board Attorney, James Linn; Legal Counsel, Ronald Cohen; Court Reporter, Dale Floyd.

3. LEGAL ISSUES (James Linn)

a. Attorney/Client Meeting (closed)

Attorney/Client session to discuss pending litigation (City of Hollywood vs. The Board of Trustees of the Employees Retirement Fund of the City of Hollywood, and the Board of Trustees of the City of Hollywood Firefighters Retirement System, and the Board of Trustees of the City of Hollywood Police Officers Retirement System).

Members of the public were instructed to leave the room at 2:04 p.m. so Mr. Linn could conduct a closed attorney-client session.

Meeting was reopened to the public at 3:07 p.m.

Meeting recessed at 3:07 p.m.

Meeting resumed at 3:14 p.m.

4. 3:00 PM TIME CERTAIN ITEM(S)

Disability Application – Timothy Irwin

Mr. Linn opened the discussion by reviewing the Ordinance and the Board's By-Laws and Operating Procedures as they pertain to applications for disability retirement.

Mr. Irwin addressed the Board detailing the circumstances surrounding his application for a disability retirement.

Discussion ensued regarding Mr. Irwin's situation and the City's ability to offer Mr. Irwin another City position in consideration of restrictions placed on him and the City's ability to accommodate those restrictions. Mr. Keller asked Mr. Irwin if he was receptive to accepting a City position to which Mr. Irwin responded that he was not a quitter and would accept another position within the City though he was concerned about putting other employees at risk due to his limited abilities to perform certain job functions.

MOTION made by Mr. Templeton, seconded by Mr. Cassidy, to approve a duty disability retirement for Mr. Irwin.

Discussion followed.

MOTION was withdrawn.

MOTION made by Mr. Keller, seconded by Mr. Templeton, for 1) Mr. Irwin to meet with the Director of Human Resources to review available City positions to determine if any would be a suitable fit for Mr. Irwin, and 2) the City to examine Mr. Irwin's current pay status and determine if any back pay is due him. In a voice vote by the members present, all members voted in favor. **Motion** passed 6-0.

Meeting recessed at 4:14 p.m.

Meeting resumed at 4:18 p.m.

5. **3:30 PM TIME CERTAIN ITEM(S)**

Disability Application – Ifatunbi Adefunmi

Mr. Linn opened the discussion by reviewing the information provided to the Board for Ms. Adefunmi.

Ms. Barbara Duffy introduced herself as counsel for Ms. Adefunmi.

Deputy City Attorney Alan Fallik, representing the City, stated the City requested a postponement of the initial disability hearing in order for the City to prepare for the initial hearing. Mr. Fallik continued that an additional reason for the request was the City wanted the Board to allow Ms. Adefunmi to be evaluated by another physician with the City having substantial input in the selection of the physician with the Board directing Ms. Adefunmi to cooperate in whatever manner necessary being seen by the second physician so the physician could properly evaluate her.

Ms. Duffy addressed the Board on behalf of Ms. Adefunmi by stating the City was not a party to the initial disability proceeding and the decision was to be made by the Board. Ms. Duffy said the City had no right to interject itself in any way into the Board's decision-making process. Ms. Duffy requested the Board to not grant any continuances and to consider the evidence before it and render a decision at the initial stage.

MOTION made by Mr. Keller, seconded by Vice-Chair Greene, for a continuance of the initial disability hearing for Ifatunbi Adefunmi in order for her to be evaluated by a psychiatrist selected by the Board (with the City's agreement) within forty-five (45) days from the date of this Special Board meeting.

Discussion ensued. Ms. Duffy stated she wholly objected to the City's interference and requested the Board to do its job and not allow the City to dictate how the Board would proceed.

In a voice vote by the members present, all members voted in favor. **Motion** passed 5-1 (Chris Cassidy voted in opposition).

Meeting recessed at 4:32 p.m.

Meeting resumed at 4:42 p.m.

The Board directed Ms. Castronovo to 1) select a psychiatrist by asking other local fund administrators who they use and/or seek recommendations from FPPTA, 2) work with Deputy City Attorney Alan Fallik in the selection process, 3) select a psychiatrist whose evaluations/recommendations have been "middle of the road," 4) provide each trustee a copy of the Ms. Adefunmi's 2013 non-duty disability application and back-up material, 5) obtain and provide a copy of any and all documents the City has on record regarding the allegations Ms. Adefunmi stated in her attachment to her duty disability application, and 6) obtain and provide a copy of Ms. Adefunmi's Workers' Compensation file.

6. ADMINISTRATIVE ISSUES

a. Fiduciary Liability Insurance

Mr. Templeton stated he would like to see quotes from brokers in addition to Arthur Gallagher. Vice-Chair Greene stated his concern regarding the time frame of getting more quotes considering the current coverage expired September 30, 2016 and that he didn't want the Trustees to be "left bare." The Board directed Ms. Castronovo to call other brokers to get additional quotes.

7. ADJOURNMENT

MOTION made by Vice-Chair Greene, seconded by Mr. Cassidy, to adjourn the meeting. In a voice vote by the members present, **Motion** passed 6-0. Meeting adjourned at 5:27 p.m.



Phyllis Shaw, Chair

26 September 2016 bc

Date