

**MINUTES OF THE REGULAR MEETING OF  
THE CITY OF MIAMI FIRE FIGHTERS' AND POLICE OFFICERS' RETIREMENT TRUST**

June 23, 2021

Members Present

O. Cotera	-	Appointed by the City Commission
N. Enriquez	-	Elected by the Fire Fighters
M. Fernandez	-	Appointed by the City Commission
T. Gabriel	-	Appointed by the City Commission
S. MacDonald	-	Elected by the Police Officers
R. Suarez	-	Elected by the Fire Fighters

Also Present

R. Klausner	-	Legal Advisor
H. Merlak	-	Actuary
D. Winegardner	-	Actuary

Members Absent

T. Roell	-	Appointed by the City Commission
A. Valdivia	-	Elected by the Police Officers
Vacant	-	Appointed by the City Manager

Chairman O. Cotera called the meeting to order at 8:30 a.m. with a quorum being present.

REQUEST FOR DISABILITY RETIREMENT

R. Lemus, Police – Step 3

R. Lemus was present, along with his Legal Representative, R. Cohen. The Board reviewed the disability application package containing the report from the Board's Medical Advisor, Dr. C. Lupu. The report read in pertinent as follows:

“ ... Based on decisions of 5 mental health professionals, the applicant has PTSD and his impairment is therefore service connected. Applicant's severe psychiatric problems preclude him from working as a police officer, therefore his impairment is total. Applicant's long history of anxiety is unlikely to improve with time. His impairment is permanent. . . .”

Discussion followed the review. A motion was made by T. Gabriel and seconded by N. Enriquez to grant R. Lemus a service-connected disability retirement. The motion was approved unanimously.

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REQUEST TO OPT OUT OF PLAN

A. Acevedo, Police Chief

The Board reviewed a request from Police Chief A. Acevedo to be allowed to opt out of participating in the Retirement Plan as allowed by City Code Section 40-199. Board Legal Counsel informed the Board that requirements for the opt out had been complied with. T. Gabriel moved and was seconded by M. Fernandez to allow Chief A. Acevedo to opt out of participating in the Retirement Plan. The motion was approved unanimously.

POSSIBLE FORFEITURE PROCEEDINGS

L. Bohnenblus, Police

The Board's Legal Counsel, R. Klausner reported that he had been advised by L. Bohnenblus's Legal Representative that his client's appeal had been denied and the conviction was affirmed. R. Klausner's opinion for the Board was to move forward with forfeiture proceedings. Discussion ensued. A motion was made by S. MacDonald and seconded by T. Gabriel to move forward with forfeiture procedures. The motion was approved unanimously.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of April 15, 2021, were reviewed. The minutes were approved by a motion from T. Gabriel, a second from S. MacDonald and a unanimous vote.

The Board reviewed the minutes of the Investment Review meeting of May 13, 2021. M. Fernandez moved and was seconded by T. Gabriel to approve the minutes. The motion passed unanimously.

RATIFICATION OF RETIREMENTS FOR THE PERIOD

The Board reviewed the list of retirements for the period. M. Fernandez moved and was seconded by S. MacDonald to approve the retirements. The motion was approved by a unanimous vote.

RATIFICATION OF PAYMENT

Payments for the period were reviewed. A motion was made by N. Enriquez and seconded by T. Gabriel to ratify payments presented. The motion was approved unanimously.

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ACTUARIAL IMPACT STATEMENT FY 2022-2023

H. Merlak, and D. Winegardner represented Nyhart. They reviewed with the Board a draft of an Impact Statement prepared reviewing the cost effect of upcoming provision changes. The changes are for the implementation of settlement agreements between the IAFF Local 587, FOP Lodge #20 and the City of Miami. The Actuary explained that the cost calculations were done based on the valuation results as of October 1, 2020. The Actuarial Impact Statement reflects the reversion in benefit provisions to those that existed prior to September 27, 2010, specifically:

1. Benefit accrual multiplier of 3.5% instead of 3.0% for credited service after 15 years
2. Final average compensation based on one year instead of five years.
3. Normal form of benefit is joint & 40% contingent (married) and 105% single life annuity (single) instead of ten-year certain and life.
4. Annual benefit cap increased from \$100,000 to \$120,000 for participants non-vested as of September 27, 2010.
5. Retirement eligibility Rule of 68 (Fire) and Rule 64 (Police) instead of Rule of 70. Age 50 with 10 years of service also defines retirement eligibility.

Discussion followed the presentation. No action was taken pending allowing the City time to review and comment.

ADMINISTRATOR'S REPORT

- The issue of disability applications for PTSD was discussed. The Board felt that with the prevalence of this issue the Board should engage a mental health professional to properly evaluate such applicants. The Administrator was asked to reach out to Dr. Lupu for possible referral and bring back to the Board for further discussion.
- Conference room virtual set up was discussed. The Board agreed to begin in person meetings starting in August but would like for the ability of virtual participation. A motion was made by R. Suarez and seconded by S. MacDonald to approve the use of funds, with a limit of \$10,000, to set up virtual capability in the Conference room. The motion passed unanimously.

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CONFERENCES DURING THE PERIOD

A motion was made by R. Suarez and seconded by N. Enriquez to approve attendance of any Trustee to conferences offered for the period. The motion was approved unanimously.

Being no further business, the meeting was adjourned at 9:35 a.m. by a motion by T. Gabriel a second by M. Fernandez and a unanimous vote.



Ornel Cotera, Chairman

Attest:



Dania Orta, Administrator