

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, May 11, 2017

9:00 AM

Council Chambers - City Hall

Pension Advisory Committee

Roll Call

Present 7 - Chair Nathan Hightower, Vice Chair Tom Jensen, Committee Member Bill Jonson, Committee Member Greg Newland, Committee Member Bob Cundiff, Committee Member Hoyt Hamilton, and Committee Member Diane Devol

Also Present Joe Roseto – Human Resources Director, Patricia O. Sullivan - Board Reporter

Awaiting approval

1. Call To Order

The Chair called the meeting to order at 9:10 a.m. at City Hall.

To provide continuity for research, items are in agenda order although not necessarily discussed in that order.

2. Approval of Minutes

- 2.1 Approve minutes of April 13, 2017 Pension Advisory Committee meeting as submitted in written summation.

Member Cundiff moved to approve minutes of April 13, 2017 Pension Advisory Committee meeting as submitted in written summation. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda: None.

4. New Business Items

- 4.1 Recommend approval of the new hires for acceptance into the Pension Plan as listed.

Name, Job Classification, Department	Pension Eligibility Date
Margaret Maxey, Custodial Worker, Marine and Aviation	04/01/2017
Nina Borders, Fire Medic, Fire	04/03/2017
Matthew Demarco, Fire Medic, Fire	04/03/2017
Alejandro Montoya, Fire, MedicFire	04/03/2017
Joshua Peterson, Fire Medic, Fire	04/03/2017
Jacob Rivero, Fire Medic, Fire	04/03/2017
John Sims, Fire Medic, Fire	04/03/2017
Tyler Whitfield, Fire Medic, Fire	04/03/2017
Nicholas Wolfgram, Fire Medic, Fire	04/03/2017
Daniel Kasman, Parks Service Technician I, Parks and Recreation	04/03/2017
Tyrie Bryant, Parks Service Technician I, Parks and Recreation	04/03/2017
Kelly Athan, Staff Assistant, General Services	04/03/2017
Kristina Pasley, Librarian I, Library	04/15/2017
Dean Lampman, Wastewater Treatment Plant Oper. Trainee, Public Utilities	04/17/2017

Alan Brooks, Wastewater Treatment Plant Operator Trainee, Public Utilities	04/17/2017
Justin Lewen, Gas Technician I, Gas	04/17/2017
Brandon Gonzalez, Gas Technician I, Gas	04/17/2017
Ryley Henika, Gas Technician I, Gas	04/17/2017
Chuck Kordick, Fleet Mechanic, General Services	04/17/2017
Jennifer Vandervort, Accounting Technician, Parks and Recreation	04/17/2017
William Eddy, Parks Service Technician I, Parks and Recreation	04/17/2017
John Dressman, Police Officer, Police	04/17/2017
Stephanie Emrich, Police Officer, Police	04/17/2017
Henry , Police Officer, Police	04/17/2017
Stephen Hartnett Police Officer, Police	04/17/2017
Brian Hoxie, Police Officer, Police	04/17/2017
Jay Moccia, Police Officer, Police	04/17/2017
Kevin Vigh, Police Officer, Police	04/17/2017
Alexis Pabon-Galiano, Pool Guard, Long Center	04/17/2017
Christopher Horsely, Customer Service Representative, Customer Service	04/17/2017
David Aman, Building Construction Inspector, Planning and Development	04/18/2017

Member Newland moved to recommend approval of the new hires for acceptance into the Pension Plan as listed. The motion was duly seconded and carried unanimously.

- 4.2** Recommend approval of the following requests of employees Himanshu Patni, Engineering Department and Alexis Wells, Parks and Recreation Department, to vest their pensions as provided by Section 2.419 of the Employees' Pension Plan.

Himanshu Patni, Senior Professional Engineer, Engineering Department, was employed by the City on February 6, 2006, and began participating in the Pension Plan on that date. Mr. Patni terminated from City employment on January 7, 2017.

Alexis Wells, Landscape Manager, Parks and Recreation Department, was employed by the City on February 24, 2003, and began participating in the Pension Plan on that date. Mr. Wells terminated from City employment on April 22, 2017.

The Employees' Pension Plan provides that should an employee cease to be an employee of the City of Clearwater or change status from full-time to part-time after completing ten or more years of creditable service (pension participation), such employee shall acquire a vested interest in the retirement benefits. Vested pension payments commence on the first of the month following the month in which the employee normally would have been eligible for retirement.

Section 2.416 provides for normal retirement eligibility for non-hazardous duty employees hired prior to the effective date of this reinstatement (1/1/13), a member shall be eligible for retirement following the earlier of the

date on which a participant has reached the age of fifty-five (55) years and completed twenty (20) years of credited service; the date on which a participant has reached age sixty-five (65) years and completed ten (10) years of credited service; or the date on which a member has completed thirty (30) years of service regardless of age. For non-hazardous duty employees hired on or after the effective date of this restatement, a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of sixty (60) years and completed twenty-five (25) years of credited service; or the date on which a participant has reached the age of sixty-five (65) years and completed ten (10) years of credited service. Mr. Patni will meet the non-hazardous duty criteria and begin collecting a pension in January 2036. Mr. Wells will meet the non-hazardous duty criteria and begin collecting a pension in January 2022.

Member Jonson moved to recommend approval of the following requests of employees Himanshu Patni, Engineering Department and Alexis Wells, Parks & Recreation Department to vest their pensions as provided by Section 2.419 of the Employees' Pension Plan. The motion was duly seconded and carried unanimously.

- 4.3** Recommend approval of the following requests of employees Jeffrey Borden, Public Utilities Department, Michael Cieslak, Police Department, Jean Griggs, Police Department, Suzanne Kravik, Police Department and Mark Serio, Public Utilities for a regular pension as provided by Sections 2.416 and 2.424 of the Employees' Pension Plan.

Jeffrey Borden, Wastewater Treatment Plant - Chief Operator, Public Utilities Department, was employed by the City on June 4, 1990, and his pension service credit is effective on that date. His pension will be effective June 1, 2017. Based on an average salary of approximately \$69,333.74 over the past five years, the formula for computing regular pensions and Mr. Borden's selection of the Life Annuity, this pension benefit will be approximately \$51,464.40 annually.

Michael Cieslak, Police Officer, Police Department, was employed by the City on October 17, 1994, and his pension service credit is effective on that date. His pension will be effective May 1, 2017. Based on an average salary of approximately \$82,780.81 over the past five years, the formula for computing regular pensions and Mr. Cieslak's selection of the 100% Joint and Survivor Annuity, this pension benefit will be approximately \$50,550.36 annually.

Jean Griggs, Police Records Manager, Police Department, was employed by the City on October 2, 1995, and her pension service credit is effective on that date. Her pension will be effective June 1, 2017. Based on an average salary of approximately \$67,040.72 over the past five years, the formula for computing regular pensions and Ms. Griggs' selection of the Life Annuity, this pension benefit will be approximately \$39,939.96 annually.

Suzanne Kravik, Police Service Technician, Police Department, was employed by the City on April 27, 1987, and her pension service credit is effective on that date. Her pension will be effective May 1, 2017. Based on an average salary of approximately \$51,549.31 over the past five years, the formula for computing regular pensions and Ms. Kravik's selection of the Joint and Survivor Annuity, this pension benefit will be approximately \$42,536.04 annually.

Mark Serio, Utilities Maintenance Supervisor I, Public Utilities Department, was employed by the City on July 30, 1990, and his pension service credit is effective on June 17, 1991. His pension will be effective May 1, 2017. Based on an average salary of approximately \$52,926.67 over the past five years, the formula for computing regular pensions and Mr. Serio's selection of the 66 2/3% Joint and Survivor Annuity, this pension benefit will be approximately \$38,168.76 annually.

Section 2.416 provides for normal retirement eligibility for non-hazardous duty employees hired prior to the effective date of this reinstatement (1/1/13), a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of fifty-five (55) years and completed twenty (20) years of credited service; the date on which a participant has reached age sixty-five (65) years and completed ten (10) years of credited service; or the date on which a member has completed thirty (30) years of service regardless of age. For non-hazardous duty employees hired on or after the effective date of this restatement, a member shall be eligible for retirement following the earlier of the date on which a participant has reached the age of sixty (60) years and completed twenty-five (25) years of credited service; or the date on which a participant has reached the age of sixty-five (65) years and completed ten (10) years of credited service. Mr. Borden, Ms. Griggs, Ms. Kravik, and Mr. Serio have met the non-hazardous duty criteria.

Section 2.416 provides for normal retirement eligibility for hazardous duty employees, a member shall be eligible for retirement following the earlier of the date on which the participant has completed twenty (20) years of credited service regardless of age, or the date on which the participant has reached fifty-five (55) years and completed ten (10) years of credited service. Mr. Cieslak has met the hazardous duty criteria.

Member Jensen moved to recommend approval of the following requests of employees Jeffrey Borden, Public Utilities Department, Michael Cieslak, Police Department, Jean Griggs, Police Department, Suzanne Kravik, Police Department and Mark Serio, Public Utilities for a regular pension as provided by Sections 2.416 and 2.424 of the Employees' Pension Plan. The motion was duly seconded and carried unanimously.

4.4 Informal hearing for William Harding request for job-connected disability pension

Human Resources Director Joe Roseto reviewed Code requirements related to William Harding's application for a job-connected disability pension. Mr. Harding was injured on the job and applied for a job-connected disability pension before he retired in October 2016. None of the listed exclusions applied. The IME (Independent Medical Exam) doctor, Michael Wasyluk, M.D. determined that Mr. Harding was totally and permanently disabled from job-connected injuries, he could not perform hazardous duties, and there was no expectation that he would return to work.

Member Jensen moved to accept into evidence the entire file, inclusive of the application, personnel file, interrogatories, medical records, and the IME. The motion was duly seconded and carried unanimously.

Attorney Tonya Oliver, representing William Harding, said Mr. Harding was employed by the City on October 19, 2002. She said after he was injured in 2 motor vehicle accidents while on duty, Mr. Harding worked light duty until he retired.

In response to questions, Mr. Roseto said Mr. Harding's submission of his job-connected disability pension application met Code requirements. The Police Department assigned him light duty following his accidents to provide him sufficient time to gather necessary medical documents prior to retirement. A light duty position was no longer available. Exclusions for pre-existing conditions did not apply to hazardous service personnel.

Concerns were expressed that the file was incomplete as it did not contain the accident records or documents indicating that Mr. Harding's injuries were job-connected.

Attorney Oliver said the file referenced Mr. Harding's Worker's Compensation award. She said Mr. Harding's supervisor had completed and signed internal reports re the vehicular accidents as Mr. Harding was unable to sign them at the time.

Mr. Roseto said the Pension Plan attorney had reviewed the application. He was unaware of any questions re the veracity of Mr. Harding's claims that his injuries were job-connected. He said staff determined that injuries were job-connected before submitting claims for Worker's Compensation.

Discussion ensued with comments that accident reports did not always prove vehicular accidents were job-connected and City staff had to verify that Mr. Harding was on duty when the accidents occurred before

signing off on his Worker's Compensation claims.

It was recommended that future files re job-connected disability applications document that injuries are job-connected.

Member Jonson moved to continue the informal hearing for William Harding until the City provides proof that Mr. Harding's disability was job-connected. The motion was duly seconded. Members Jonson and Cundiff voted "Aye"; Members Jensen, Hamilton, Newland, Devol, and Chair Hightower voted "Nay." Motion failed.

It was noted that Deputy Police Chief Donald Hall had signed the internal reports related to Mr. Harding's vehicular accidents.

Member Jensen moved that William Harding met the requirements for a job-related disability pension as he was disabled by reason of an injury suffered in the line of duty, such disability is likely to be continuous and permanent from a cause other than those listed as general disability exclusions, and he is unable, by reason of a medically determinable physical impairment, to render useful and efficient service as a police officer. The motion was duly seconded and carried unanimously.

Appreciation was expressed for Mr. Harding's service to the City.

5. Old Business Item: None.

6. Director's Report

Mr. Roseto said he would discuss with the Pension Plan attorney the inclusion of more definitive information re the job-connected status of future applications.

7. Board Members to be Heard: None.

8. Adjourn

The meeting adjourned at 9:45 a.m.

Attest:

Chair
Pension Advisory Committee

Board Reporter