

RECORD OF PROCEEDING February 7, 2019

MINUTES OF THE MEETING OF THE POLICE PENSION AND RELIEF BOARD

February 7, 2019

Members:

Commander Kathleen Bancroft
Ret. Detective Kenneth Harris (Not Present)
Detective Jeffrey Baran
Detective Tyson Worrell
Laura Wachter, Deputy Manager of Safety

Investigating Committee:

Technician Jeremy Casias (Not present)
Detective Mark Crider (Not present)
Sergeant Julie Wheaton (Not present)

Non-Members In Attendance:

Robert McDermott, Assistant City Attorney (Not Present)
Laura Hall, Safety Human Resources

The meeting convened at 10:47 a.m.

Quorum of members are in attendance and noted for minutes.

Review of October Minutes. Motion to approve minutes of the December 6, 2018 meeting by Commander Bancroft. Detective Baran seconded. VOTE: Passed with quorum; Detective Worrell abstained.

OLD BUSINESS:

1. 2019 Board Member Vote Results & Welcome
 - a. Welcome to our new board members- Detective Jeff Baran and Detective Tyson Worrell
 - b. Investigators- we have 3 that were on the board last year and previous years.
 - i. Laura Hall received no nominations, got several write-ins but the first four have declined the nomination and vote
 - ii. Requested other names
2. Pension Repayment Outstanding Amounts & Summary
 - a. Laura Wachter provided brief summary of history for the two new Board Members
 - b. Attached updated memo with current amounts and information.
 - c. Two updates:

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- i. One pensioner paid his outstanding amount in full in November for \$25,503.83
 - ii. Outstanding is down to 9 total
 - iii. The City Attorney's office is in the process of filing complaints for 8 delinquent pensioners. After they file, they will have to serve them, which their goal is to complete in the next couple weeks.
 - iv. There are no completed repayment plans entered since October- but they are working on one. The retiree applied for a hardship in 2017 and it was not processed through at the time. The hardship application is supported, so that is being worked on.
- d. Reminder: if the City is not able to collect the remaining funds, they will look to CLA firm for anything they are unable to collect from the retirees

3. Widow Process and Documentation

- a. Laura Hall updated the Widow Petition document that was approved via vote in December – it will be used going forward
 - i. Attached copy to minutes
- b. With the new petition the internal process was reviewed overall. The list of documents we require a widow to provide when a retiree passes away is lengthy.
 - i. Reached out to City Attorney and FPPA to determine what our responsibility to collect was. Rob McDermott said we need to reasonably establish the existence of a marriage to pay widow benefits. We will ask for the following for each retiree death, but the divorce decree or death cert of a prior spouse will only be asked for if the widow benefit is being contested by another possible spouse. No vote is required for updates as this is an internal HR process.
 - ii. Documents required:
 - Copy of survivors Driver's License
 - Copy of Death Certificate
 - Copy of survivor's Birth Certificate
 - Copy of Marriage Certificate
 - Original Direct Deposit Form with voided check
 - Original W-4P Form
 - W-9
 - Original Local Defined Benefit Plan Form – Complete Section E
 - *Copy of Divorce Decree/Death Certificates (from previous marriages)- only necessary if known spouse is being contested*

4. 2018 Census update

- a. Laura Hall provided summary of what the Census is and why we asked members for it to the new Board Members
- b. For Police- mailed to 996 retirees and widows
- c. 821 confirmed as replied or passed away in intervening time period, missing 175 for an 85% return rate
- d. Sent changes to FPPA on address, POA's, etc. in December and January
- e. Waiting for the DPRA roster to confirm any others that didn't respond. After that, Laura Hall will send the remainder to FPPA so they can put it through their systems.

- f. Updating HR systems from these will be an ongoing process – currently going into Access database but eventual goal is to have all retirees in Workday system with the City

WIDOW PETITIONS:

The following widow petitions were presented for consideration.

Inge Brand's petition for widow benefits, related to Detective Gerald Denney, P61031.

Debra Elbeck's petition for widow benefits, related to Patrolman Michael Elbeck, P75026.

Heather Coogan's petition for widow benefits, related to Police Chief Thomas Coogan, P60007.

Janet Black's petition for widow benefits, related to Sergeant Dale Spence, P74004.

Bronita Johnson's petition for widow benefits, related to Technician Clyde Johnson, P61046.

After discussion:

MOTION: Motion to **APPROVE** the widow petitions made by Commander Bancroft and seconded by Detective Baran. **VOTE:** Passed by unanimous vote.

NEW BUSINESS:

1. Rank Escalation Calculations

- a. Pension Plan Administrator Laura Hall confirmed initial calculation- engaged outside firm to confirm calculation, a recommended actuary out of Boston
- b. All new monthly pension amounts were sent to FPPA at the end of December, reviewed and started paying on January 18th
- c. FPPA sends Laura Hall a confirmation at the end of January, she will return by end of February
- d. Last meeting a suggestion made to write-up rank escalation process- Laura Hall did so, provided copies at the meeting. Process is very detailed, highlights are:
 - i. Direction #1- updating widows throughout the year, rather than going back and updating all of them at the end of the year
 - ii. Update VLOOKUP formula that pulls in the new salaries with the new spreadsheet
 - iii. Laura Hall will create the new salary tables in October from the CBA- all Old Hires are retired so that will be the only change from year-to-year moving forward
 - iv. All instructions are saved in the Shared Drive for Safety HR
- e. Discussion of one possible error found on rank escalation. A 1/3 widow showed differently than the other remaining 1/3 widows- but no explanation for the difference was found. It was recommended to reach out to various Old Hire retirees for more insight on issue. More to come at next meeting.

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2. Confidentiality Agreements

- a. Rob McDermont updated the general DPD agreement.
- b. Active DPD board members signed. Laura Wachter abstained as she is employed by Department of Safety, not DPD.
- c. Uploaded all signatures/documents to Safety HR shared drive for record keeping purposes.

The next regularly scheduled meeting will be held on Thursday, April 4, 2019 at 11:15 a.m.

MOTION: A motion to adjourn was made by Commander Bancroft and seconded by Detective Baran. The motion carried unanimously.


The meeting was adjourned at 11:40 a.m.



Laura Wachter, Deputy Manager of Safety
Appointed Chair, Police Pension and Relief Board

By signing below, the Secretary hereby certifies the above minutes were reviewed and approved by a majority vote of the Pension Board members at a regular meeting held on April 4, 2019.

ATTESTED TO:



Laura Hall, Secretary

To: Old Hire Police Pension Board
From: Laura Hall, Pension Plan Administrator, Safety Human Resources
Date: February 7, 2019
Re: Pension Repayment Outstanding Amounts and Summary

228 pensioners were initially overpaid by approximately \$1,132,000. The City has now recovered a significant portion of that amount. The uncollected amount, \$344,460.21 is comprised of:

- \$99,753.45 in discounts given to early payors to encourage repayment
- \$149.40 overpayment amount that the City will not be pursuing in litigation due to the small amount
- \$267,519.58 in uncollected overpayments...
 - Two of the beneficiaries have passed away, totaling \$35,443.22, of which the City will not be pursuing the estates for these amounts.
 - An additional pensioner passed away on 3/5/2018 with no surviving spouse (█), who owed \$22,962.22.

In November 2018, one pensioner executed a repayment totaling \$25,503.83. The amount that the City is still pursuing stands at \$118,670.47.

- Eight of the remaining delinquent pensioners and beneficiaries have not indicated a willingness to enter into repayment plans. The City is in the process of filing complaints for these individuals. Once they file, they will serve them, hopefully within the next two weeks.
- One of the remaining delinquent pensioners has re-submitted hardship documentation and discussions are in progress.

Name (REDACTED)	Outstanding Amount
█	\$13,300.64
█	\$7,512.00
█	\$4,006.99
█	\$10,867.77
█	\$2,290.01
█	\$3,267.30
█	\$12,613.84
█	\$27,885.43
█	\$36,926.49
TOTAL	\$118,670.47

RECORD OF PROCEEDING April 4, 2019

MINUTES OF THE MEETING OF THE POLICE PENSION AND RELIEF BOARD

April 4, 2019

Members:

Commander Kathleen Bancroft
Ret. Detective Kenneth Harris
Detective Jeffrey Baran
Detective Tyson Worrell
Laura Wachter, Deputy Manager of Safety

Investigating Committee:

Technician Jeremy Casias
Detective Mark Crider (Not present)
Sergeant Julie Wheaton (Not present)
Sergeant Tab (TJ) Davis
Sergeant Joshua Vasconcellos (Not present)

Non-Members In Attendance:

Robert McDermott, Assistant City Attorney (Not Present)
Laura Hall, Safety Human Resources
Chantell Trujillo, Safety Human Resources
John Schnittgrund, DPRA President

The meeting convened at 11:17 a.m.

Quorum of members are in attendance and noted for minutes.

Review of October Minutes. Motion to approve minutes of the February 7, 2019 meeting by Commander Bancroft. Detective Baran seconded. VOTE: Passed by unanimous vote.

OLD BUSINESS:

1. 2019 Board Member Vote Results
 - a. Welcome to our new Investigators & Introductions
Investigators finalized: Two new
 - Sergeant Tab Davis
 - Sergeant Joshua Vasconcellos
 - b. Thank you to the suggestions and nominations from the Board members

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2. Pension Repayment Outstanding Amounts & Summary

- a. Attached updated memo with current amounts and information. The amount the City is still pursuing stands at \$80,983.03
- b. Several updates:
 - i. One pensioner paid his outstanding amount in full in March of \$7512.00
 - ii. Another pensioner balance of \$2,290.01 will not be pursued
 - iii. An agreement was entered to repay \$18,000 of a \$27,885.43 balance due to a documented hardship.
 - iv. The City has served complaints to four individuals
 - v. One individual they have not been able to serve, will file a motion for service by mail
 - vi. The other remaining delinquent pensioner submitted hardship documentation and discussions are in progress
- c. Reminder: if the City is not able to collect the remaining funds, they will look to CLA firm for anything they are unable to collect from the retirees
- d. Follow-up for Laura Hall: Are there any other pensioners in payment plans from 2016 or 2017?

3. 2018 Census update

- a. John Schnittgrund provided the DPRA roster book to Laura Hall
 - i. Outstanding list narrowed to 77 missing, FPPA narrowed the missing list to 69. FPPA noted a few more are turning 90 so they will send the Vitality letter.
- b. Question: what do we want to do with the retirees/widows who do not answer correspondence from Safety HR, FPPA, or DPRA?
 - i. FPPA's action for New Hires is to suspend their pension until an answer is provided
- c. Decided to come up with a policy for actions to take regarding Vitality check on retirees who do not respond
 - i. Will begin with annual census each year
 - ii. Include a letter with census that notes what will occur if retiree/widow does not respond to Safety HR, FPPA or DPRA
 - iii. Laura Hall will provide draft policy at next Pension Board meeting or before

4. Rank Escalation Calculations

- a. Discussion of one possible error found on rank escalation at last meeting
 - i. Confirmed there is no error and all findings will be documented in Safety HR for future reference

RECORD OF PROCEEDING April 4, 2019

MOTION: Enter executive session at 11:42 a.m. for discussion of confidential information/evidence regarding return of sick leave by Commander Bancroft, seconded by Detective Baran.

MOTION: After discussion of confidential information/evidence regarding the return of sick leave, the board reconvened the public meeting at 11:55 a.m. with a motion by Commander Bancroft, seconded by Deputy MOS Wachter.

ORIGINAL/RECURRING INJURIES

<u>NAME</u>	<u>HOURS</u>	<u>1st DAY OFF</u>
Michael Rispoli	88	May 2017

MOTION: A motion to APPROVE on the return of 88 hours of comp time to Michael Rispoli was made by Detective Baran, seconded by Commander Bancroft. VOTE: Passed by unanimous vote.

MOTION: A motion to allow the President of the Denver Police Retirees Association (DPRA) to act in an advisory capacity regarding Pension Board actions and discussions by Commander Bancroft, seconded by Detective Worrell. Proposed to have City Attorney draft Confidentiality Agreement for President of DPRA's signature. VOTE: Passed by unanimous vote.

WIDOW PETITIONS:

The following widow petitions were presented for consideration.

Gail Samson's petition for widow benefits, related to Sergeant Ronald Samson, P71067.

Mary Ellen Shaffer's petition for widow benefits, related to Detective Richard Shaffer, P63031.

After discussion:

MOTION: Motion to APPROVE the widow petitions made by Detective Baran and seconded by Commander Bancroft. VOTE: Passed by unanimous vote.

NEW BUSINESS:

1. Informational: Safety HR file documentation upload and purge of Old and New Hires
 - a. Effort to put all paper files into digital database

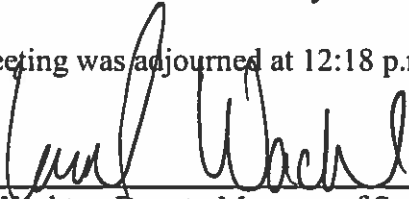
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- b. Safety HR/Laura Hall will make a list of documents titles and provide to Board to confirm what documents need to be saved in each folder
- c. Detective Baran and Technician Casias will provide list of documents they needed for Investigations Committee
- d. Documents of note at this time:
 - i. Any document/letter noting Pension Board
 - ii. Death Certificates
 - iii. Marriage Certificates
 - iv. Meeting Minutes/references to rank changes

The next regularly scheduled meeting will be held on Thursday, June 6, 2019 at 11:15 a.m.

MOTION: A motion to adjourn was made by Detective Baran and seconded by Commander Bancroft. The motion carried unanimously.

The meeting was adjourned at 12:18 p.m.



Laura Wachter, Deputy Manager of Safety
Appointed Chair, Police Pension and Relief Board

By signing below, the Secretary hereby certifies the above minutes were reviewed and approved by a majority vote of the Pension Board members at a regular meeting held on June 6, 2019.

ATTESTED TO:



Laura Hall, Secretary



To: Old Hire Police Pension Board
From: Laura Hall, Pension Plan Administrator, Safety Human Resources
Date: June 6, 2019
Re: Pension Repayment Outstanding Amounts and Summary

228 pensioners were initially overpaid by approximately \$1,132,000. The City has now recovered a significant portion of that amount. The uncollected amount, \$344,460.21 is comprised of:

- \$99,753.45 in discounts given to early payors to encourage repayment
- \$149.40 overpayment amount that the City will not be pursuing in litigation due to the small amount
- \$267,519.58 in uncollected overpayments...
 - Two of the beneficiaries have passed away, totaling \$35,443.22, of which the City will not be pursuing the estates for these amounts.
 - An additional pensioner passed away on 3/5/2018 with no surviving spouse (REDACTED), who owed \$22,962.22.

In April 2019, a settlement for \$2,000 was received from a pensioner owing \$3,267.30, an amount for \$12,613.84 will not be pursued due to a documented hardship, and the CAO obtained default judgements against three pensioners totaling \$24,850.24. The amount that the City is still pursuing stands at \$36,926.49.

- Discussion is needed on the three pensioners with judgements to determine pension withholdings for them
- The final remaining delinquent pensioner is being pursued by the CAO

Name (REDACTED)	Outstanding Amount
[REDACTED]	\$36,926.49
TOTAL	\$36,926.49

RECORD OF PROCEEDING June 6, 2019

MINUTES OF THE MEETING OF THE POLICE PENSION AND RELIEF BOARD

June 6, 2019

Members:

Commander Kathleen Bancroft
Ret. Detective Kenneth Harris
Detective Jeffrey Baran
Detective Tyson Worrell (Absent)
Laura Wachter, Deputy Manager of Safety

Investigating Committee:

Technician Jeremy Casias
Detective Mark Crider (Absent)
Sergeant Julie Wheaton (Absent)
Sergeant Tab (TJ) Davis (Absent)
Sergeant Joshua Vasconcellos (Absent)

Non-Members in Attendance:

Robert McDermott, Assistant City Attorney (Absent)
Laura Hall, Safety Human Resources
John Schnittgrund, DPRA President
Dave Metzler, DPRA Vice President

The meeting convened at 11:17 a.m.

Quorum of members are in attendance and noted for minutes.

Review of April Minutes. Motion to approve minutes of the April 4, 2019 meeting by Commander Bancroft. Detective Baran seconded. VOTE: Passed by unanimous vote.

OLD BUSINESS:

1. Pension Repayment Outstanding Amounts & Summary
 - a. Attached updated memo with current amounts and information. The amount the City is still pursuing stands at \$36,926.49.
 - b. Several updates:
 - i. One pensioner paid the settlement agreement of \$2,000 from the original \$3267.30

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- ii. Another pensioner balance of \$12,613.84 will not be pursued due to a documented hardship
- iii. The final pensioner that is being pursued is for \$36,926.49. The CAO is working on that, the individual has an attorney and discussions are happening
- iv. Of the 4 pensioners the City served complaints to, 3 did not respond in any way. These are the ones we need to discuss. The judgements were sent to these 3 in April or early May, CAO recommends we wait until July or so to begin repayments.
- v. Board asked that the CAO send certified letter to each individual confirming the overpayments will be deducted beginning on the August pension payment if they take no action.
- vi. One retiree from the original group passed away in November 2017, but it was not noted he has a surviving spouse. Laura Hall confirmed they were married in 2013.

MOTION: Motion to add the widow to the Outstanding Pension Amounts issue list and pursue action was made by Retired Detective Harris and seconded by Commander Bancroft. **VOTE:** Passed by unanimous vote.

- c. Follow-up for Laura Hall: Are there any other pensioners in payment plans from 2016 or 2017?
 - i. FPPA payroll confirmed all overpayments in 2016 & 2017 were made by checks in single payments. They do not show records of any pensioners in payment plans aside from the ones that were recently entered.

2. Vitality Check Proposal

- a. Question: what do we want to do with the retirees/widows who do not answer correspondence from Safety HR, FPPA, or DPRA?
 - i. FPPA's action for New Hires is to suspend their pension until an answer is provided
- b. Decided to come up with a policy for actions to take regarding Vitality check on retirees who do not respond
- c. Laura Hall provided a draft proposal at the June meeting
- d. Requested the Investigations Committee meet and work out their portion of the process
- e. Once Police Pension Board approves, Laura Hall will bring it to the Fire Pension Board
- f. Follow-up: Laura Wachter will research how to use Comp time/pay the Investigators for extra work for Police and Fire retirees.

DISABILITY RETIREMENTS

Scheduling a meeting in July to review outstanding Disability Retirement requests.

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WIDOW PETITIONS:

The following widow petitions were presented for consideration.

Nancy Frias' petition for widow benefits, related to Technician Mark Frias, P72015.

Niles Washer's petition for widow benefits, related to Detective Niles Washer, P70063.

Reta Stubblefield's petition for widow benefits, related to Sergeant Joe Stubblefield, P63052.

After discussion:

MOTION: Motion to **APPROVE** the widow petitions made by Commander Bancroft and seconded by Deputy Manager Wachter. **VOTE:** Passed by unanimous vote.

NEW BUSINESS:

1. Pension Plan Guidelines Proposal
 - a. Proposal notes:
 - i. Each summary will be similar to a "summary plan description" (SPD) for ERISA covered plans but will not include all of the legally required language as required under ERISA (e.g., claims and appeals procedures; statement of ERISA rights)
 - ii. Firm chosen will prepare the initial drafts- included in overall fee estimate of \$6,000 to \$7,000
 - iii. Fee estimate includes the initial draft and then a final draft to reflect any questions or comments the Boards may have
 - iv. Rank Escalation: annual fee/review of \$2,000, Scope of her services include a review of pertinent legislation, plan documentation and amendments, if any; general review of census data, review of rank escalation spreadsheets and all related consultation
 - b. Guidelines will be part of a larger manual that includes City Charters, Ordinances, HR policies and procedures, and Pension Board policies and procedures
2. Deputy Manager Wachter recommends the fee be paid from the mill levy for both (Police and Fire) Old Hire Pension Plan guidelines.

MOTION: Motion to **APPROVE** the Pension Plan Guidelines proposal made by Commander Bancroft and seconded by Deputy Manager Wachter. **VOTE:** Passed by unanimous vote.

The next regularly scheduled meeting will be held on Thursday, August 1, 2019 at 11:15 a.m.

MOTION: A motion to adjourn was made by Commander Bancroft and seconded by Detective Baran. The motion carried unanimously.

RECORD OF PROCEEDING June 6, 2019

The meeting was adjourned at 12:18 p.m.



Laura Wachter, Deputy Manager of Safety
Appointed Chair, Police Pension and Relief Board

By signing below, the Secretary hereby certifies the above minutes were reviewed and approved by a majority vote of the Pension Board members at a regular meeting held on August 22, 2019.

ATTESTED TO:



Laura Hall, Secretary

To: Old Hire Police Pension Board
From: Laura Hall, Pension Plan Administrator, Safety Human Resources
Date: August 22, 2019
Re: Pension Repayment Outstanding Amounts and Summary

As of October 2018, 228 pensioners were initially overpaid by approximately \$1,132,000. The City has now recovered a significant portion of that amount. The uncollected amount, \$344,460.21 is comprised of:

- \$99,753.45 in discounts given to early payors to encourage repayment
- \$149.40 overpayment amount that the City will not be pursuing in litigation due to the small amount
- \$267,519.58 in uncollected overpayments...
 - Two of the beneficiaries have passed away, totaling \$35,443.22, of which the City will not be pursuing the estates for these amounts.
 - An additional pensioner passed away on 3/5/2018 with no surviving spouse (■), who owed \$22,962.22.

By August 2018, the CAO obtained default judgements against two pensioners totaling \$20,843.25, another pensioner entered into a settlement and repayment agreement with the CAO for \$3,000. The remaining delinquent pensioner settled with the CAO for \$27,194.87.

- Discussion is needed on the two pensioners with judgements to determine pension withholdings to begin in September
- One widow of a delinquent pensioner that lives out of the country is also being pursued by the CAO.

With the majority of issues regarding outstanding payments resolved, the CAO submitted a notice to CliftonAllenLarsen LLP regarding the final totals of overpayments that were not collected from the pensioners. A discussion will take place with the CLA firm about resolving this matter and what amount the firm will be expected to cover. The CAO will take these steps in the next few weeks.

RECORD OF PROCEEDING August 22, 2019

MINUTES OF THE MEETING OF THE POLICE PENSION AND RELIEF BOARD

August 22, 2019

Members:

Commander Kathleen Bancroft (present until 11:50 am)
Ret. Detective Kenneth Harris
Detective Jeffrey Baran
Detective Tyson Worrell
Laura Wachter, Deputy Manager of Safety

Investigating Committee:

Technician Jeremy Casias
Detective Mark Crider
Sergeant Julie Wheaton (Not present)
Sergeant Tab (TJ) Davis
Sergeant Joshua Vasconcellos (Not present)

Non-Members in Attendance:

Robert McDermott, Assistant City Attorney (Not Present)
Laura Hall, Safety Human Resources
Chantell Trujillo, Safety Human Resources (present until 12:00)
Dr. Alisa Koval, DHMC (on phone)

The meeting convened at 11:20 a.m.

Quorum of members are in attendance and noted for minutes.

Review of June Minutes. Motion to approve minutes of the June 6, 2019 meeting by Commander Bancroft. Ret. Detective Harris seconded. VOTE: Passed by unanimous vote.

MOTION: Enter executive session at 11:23 a.m. for discussion of confidential information/evidence regarding disability retirements by Commander Bancroft, seconded by Detective Baran. Meeting reconvened at 11:45 am.

After discussion of confidential information / evidence for each of the following cases during Executive Session, the following motions were made:

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DISABILITY RETIREMENT APPEAL

Retired Detective, Robert Tabares' (P71090) appeal case to **HOLD OVER** until final medical information is provided by Dr. Koval. The motion to hold over was made by Commander Bancroft, seconded by Detective Worrell. Passed by unanimous vote.

OLD BUSINESS:

1. Pension Repayment Outstanding Amounts & Summary
 - a. Attached updated memo with current amounts and information.
 - b. Several updates:
 - One of the pensioners who received a default judgement settled and entered a repayment agreement with the CAO for \$3,000
 - The final pensioner settled for \$27,194.87 (original amount \$36,926.49).
 - o The CAO is ready to pursue the final overpayment amount that was not paid back the pensioners from CLA. The notification letter was sent on August 14. More to come on that as discussions occur.
 - o FYI CAO sent information to widow of retiree there was no collection, but still working on finding her. This amount is included in what the CAO is asking CLA to repay.
 - c. Of the 4 pensioners the City served complaints to, one responded a couple months ago, but recommended the others begin repayments in July.
 - i. The Board reached out to the three pensioners one last time via the CAO with certified mail, two still did not respond in any way.
 - ii. The judgements were sent to these two in early May, at this point the CAO recommends to enter a repayment deduction from their pensions for a 5-year timeframe.

MOTION: Motion to begin a 5-year repayment deduction in September 2019 for the two pensioners who received default judgements and did not respond in any way made by Ret. Detective Harris and seconded by Detective Baran. **VOTE:** Passed by unanimous vote.

2. Vitality Check Proposal
 - a. Question: what do we want to do with the retirees/widows who do not answer correspondence from Safety HR, FPPA, or DPRA?
 - b. Decided to come up with a policy for actions to take regarding Vitality check on retirees who do not respond
 - i. Will begin with annual census each year
 - ii. Include a letter with census that notes what will occur if retiree/widow does not respond to Safety HR, FPPA or DPRA
 - iii. Board Investigators met and discussed their side of this process- Tech. Casias will type up their process and we will attempt the process on the names FPPA provided

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- iv. Suggested to create a new work code the Investigators can use for their overtime spent on these as they will handle for Police and Fire Pension Boards. (Fire does not have investigators.) Laura Hall will reach out to set this up.

MOTION: Motion to make final changes and begin using this process made by Detective Worrell and seconded by Detective Baran. **VOTE:** Passed by unanimous vote.

MOTION: Enter executive session at 12:17 p.m. for discussion of confidential information/evidence regarding return of sick leave and disability retirement by Detective Worrell, seconded by Detective Baran. Meeting reconvened at 12:29 p.m.

After discussion of confidential information / evidence for each of the following cases during Executive Session, the following motions were made:

DISABILITY RETIREMENT

Retired Sergeant, Edward Tuffield's (P75008) case was presented. Based upon the evidence presented to the Board, a motion to take **NO ACTION**. The motion to take NO ACTION was made by Detective Baran, seconded by Detective Worrell. Passed by unanimous vote.

ORIGINAL/RECURRING INJURIES

<u>NAME</u>	<u>HOURS</u>	<u>1st DAY OFF</u>
Dalton Montgomery	8	4/26/19

<u>NAME</u>	<u>HOURS</u>	<u>1st DAY OFF</u>
Robert Freund	40	2/7/19

MOTION: A motion to APPROVE on the return of 8 hours of comp time to Dalton Montgomery and 40 hours of comp time to Robert Freund was made by Detective Baran, seconded by Detective Worrell. **VOTE:** Passed by unanimous vote.

- Questions from the Board arose regarding the process Risk Management uses to approve or deny sick leave requests. Requested Laura Hall reach out to Risk Management and invite them to the next Board meeting to go over the process, the Board can have a better understanding on how and why these issues come to the Pension Board and can ask questions.

RECORD OF PROCEEDING August 22, 2019

WIDOW PETITIONS:

The following widow petitions were presented for consideration.

Jan Lamar's petition for widow benefits, related to Sergeant Dennis Brenning, P63029.

Norma Davidson's petition for widow benefits, related to Detective Ronald Davidson, P70101.

Krista Metz-Colborn's petition for widow benefits, related to Lieutenant Robert Colborn, P68024.

Judith Reagan's petition for widow benefits, related to Lieutenant Bobby Reagan, P64018.

After discussion:

MOTION: Motion to **APPROVE** the widow petitions made by Ret. Detective Harris and seconded by Detective Baran. **VOTE:** Passed by unanimous vote.

DRO PETITIONS:

The following DRO petitions were presented for consideration.

Judith Brenning's pension benefits from an approved DRO ended, ex-spouse of Sergeant Dennis Brenning, P63029.

After discussion:

MOTION: Motion to **APPROVE** the pension change to the ex-spouse's benefit made by Detective Baran and seconded by Detective Worrell. **VOTE:** Passed by unanimous vote.

NEW BUSINESS:

1. Pension Plan Guidelines Proposal

- a. Confirmed with the firm that we're going ahead with that. They sent list of follow-up questions. Board went through these- Laura Hall will answer as best she can and then provide more updates/clarification at next Board meeting.

3. Old Hire Files

Project is moving forward to put all retirees into Workday- the system we use for active employees.

- a. Safety HR is moving to another building- all of us will be in one office instead of spread out over 6 different buildings. But all DPD files were housed in the HR office.
- b. Still about 500 Old Hires that are not entered in Alfresco, only paper files.

RECORD OF PROCEEDING August 22, 2019

- c. Laura Hall will reach out to Mary Dulacki to confirm what we can do with these files
- d. If necessary:

MOTION: Motion to allow the Old Hire files to be moved from Police Administration to the new Safety HR office location to be processed made by Detective Worrell and seconded by Detective Baran. **VOTE:** Passed by unanimous vote.

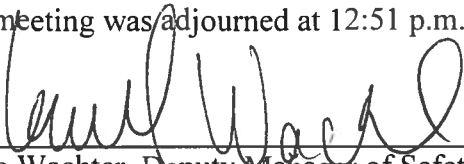
4. October Pension Board meeting

- FPPA's Employer Summit is on Oct 3- the date of our next meeting.
- Moving the October Board meeting to October 10th as Thursdays are best.
- Laura Hall will update the invite as a reminder for October

The next regularly scheduled meeting will be held on October 10, 2019 at 11:15 a.m.

MOTION: A motion to adjourn was made by Ret. Detective Harris and seconded by Detective Baran. The motion carried unanimously.

The meeting was adjourned at 12:51 p.m.



Laura Wachter, Deputy Manager of Safety
Appointed Chair, Police Pension and Relief Board

By signing below, the Secretary hereby certifies the above minutes were reviewed and approved by a majority vote of the Pension Board members at a regular meeting held on October 10, 2019.

ATTESTED TO:



Laura Hall, Secretary

RECORD OF PROCEEDING October 10, 2019

MINUTES OF THE MEETING OF THE POLICE PENSION AND RELIEF BOARD

October 10, 2019

Members:

Commander Kathleen Bancroft
Ret. Detective Kenneth Harris (arrived at 11:23 am)
Detective Jeffrey Baran
Detective Tyson Worrell
Laura Wachter, Deputy Manager of Safety (absent)

Investigating Committee:

Technician Jeremy Casias
Detective Mark Crider (Not present)
Sergeant Julie Wheaton (Not present)
Sergeant Tab (TJ) Davis (Not present)
Sergeant Joshua Vasconcellos

Non-Members In Attendance:

Robert McDermott, Assistant City Attorney
Laura Hall, Safety Human Resources
Edward Gorman, Assistant City Attorney
Ray Sibley, Director-Risk Management

The meeting convened at 11:15 a.m.

Quorum of members are in attendance and noted for minutes.

Review of August Minutes. Motion to approve minutes of the August 22, 2019 meeting by Commander Bancroft. Detective Worrell seconded. VOTE: Passed by unanimous vote.

OLD BUSINESS:

1. Pension Repayment Outstanding Summary
 - a. City Attorney finalized settlement with Clifton Larsen Allen – settlement was discussed with the Board in public session
 - b. The final settlement concludes the Old Hire Police Pension Repayment issues. Every pensioner account was repaid or entered and started repayment agreements.

RECORD OF PROCEEDING October 10, 2019

2. Risk Management Discussion

- a. The Board had several questions on the Risk Management process at the August meeting, they requested more information for how the cases come to the Board
- b. Laura Hall handed out the return of sick claim forms and the DPD Ops Manual section that pertains to return of sick
- c. Ray Sibley (Director, Risk Management) confirmed there are two main situations where an officer may apply for return of sick time through Police Pension Board:
 1. If Risk Management denies a claim for any reason, the time can be applied to be returned with the Pension Board. The Board may approve the claim after an investigation occurs, presentation, and vote by the Board; or,
 2. Once an employee reaches Maximum Medical Improvement (MMI) and further claims occur as maintenance, etc., Risk Management will still pay any medical costs, but they do not handle wage replacement. This is a state law that Risk Management abides by, they are required to pay the medical claim, but not to compensate for wage replacement. In these cases, the employee may apply through the Pension Board for wage replacement.
- ii. Mr. Sibley voiced his main concern: if sick leave is reinstated by the Pension Board for a Line of Duty injury where Risk Management never received a claim
 1. This is no longer an issue- all Pension Board Return of Time cases are first vetted by Sergeant Parsons, who ensures all other sick leave return options are exhausted before it comes to the Pension Board.
- iii. In going through this process, it was determined that per DPD OMS 505.12, the Board should consider and evaluate the officer's request for return of time, then make a recommendation to the Chief of Police or his/her designee for a final determination. Moving forward, HR will complete this process per DPD OMS. For 2019 cases, a letter will be certified by Deputy Chief Archer and included in the October 10, 2019 minutes.

3. Vitality Check Process (VCP) & Annual FPPA census

- a. FPPA completes a similar Vitality Check process for anyone over age 87. If a retiree or widow does not respond, FPPA sends the information to the HR representative for the Pension Board to follow-up.
 - i. Our VCP will begin with annual census each year- the letter with the census notes to avoid any pension payment disruption, a response is required
 1. Board reviewed 2019 census letter, provided a couple wording updates. This will be mailed in early November.
 - ii. Few of Investigators met and discussed their side of this process- Tech. Casias provided an update to the process for the Investigators section
 - iii. With these updates, we will begin the process on an outstanding Police Old Hire

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4. Pension Plan Guidelines Proposal
 - a. Rob McDermott reviewing the agreement- more to come

MOTION: Enter executive session at 11:52 a.m. for discussion of confidential information/evidence regarding disability retirements by Detective Baran, seconded by Detective Worrell. Meeting reconvened at 11:55 a.m.

After discussion of confidential information / evidence for each of the following cases during Executive Session, the following motions were made:

DISABILITY RETIREMENT APPEAL

Retired Detective, Robert Tabares' (P71090) appeal case was **DENIED**. The motion to DENY was made by Retired Detective Harris, seconded by Commander Bancroft. Passed by unanimous vote.

WIDOW PETITIONS:

The following widow petitions were presented for consideration.

Cynthia Kientz's petition for widow benefits, related to Sergeant Arthur Kientz, P65010.

Judy Golden's petition for widow benefits, related to Detective Martin Golden, Jr., P68081.

Diana Ulrich's petition for widow benefits, related to Detective Robert Ulrich, P65024.

After discussion:

MOTION: Motion to **APPROVE** the widow petitions made by Commander Bancroft and seconded by Retired Detective Harris. **VOTE:** Passed by unanimous vote.

NEW BUSINESS:

1. Laura Hall confirmed changes to the Old Hire investments began on July 1.
 - a. Due to the changes, FPPA is offering meetings to each Old Hire group to go over the new investments. Do we want one of these meetings for Police Old Hires?
 - i. Yes, Laura Hall will reach out to DPRA President, John Schnittgrund to schedule a meeting with FPPA.

RECORD OF PROCEEDING October 10, 2019

Basic summary and reasons for investment changes:

FPPA notes if we have another market drop, the pension fund will never make the money back. A market crash happened in 2008 and 10 years later, it is an even bigger problem. The Old Hire (OH) pension fund has less assets than we did in 2008 and we have a shorter timeframe. We do not want to be in this position again, because we will not make that back. FPPA does not think it is prudent to take that much risk anymore. Thus, the FPPA Board decided in March to put the OH pensions in a different investment pool than FPPA historically had them in. FPPA needs the funds to be liquid now; we cannot have funds tied up for 10 to 15 years. The longevity is great enough FPPA thinks they can continue to hold the private equity we have already bought, but we do not want to buy any more.

This change began on July 1, 2019, to create two investment pools:

1. Bond type, liquid cash investments, small amount of equity
2. Short-term pool- this will glide towards a short-term investment pool. The Denver OH plans do not need to be in there yet, but they will.

FPPA has other OH plans with 1 or 2 members left and they are going straight to short term, but OH Denver Police does not need to- yet. The expectation is FPPA will have paid out 2/3 of our assets in the next 10 years so FPPA does not have or want the OH plans in long-term or higher risk funds.

2. Old Hire Files

- a. Reminder that Safety HR moved to 200 W 14th Ave- Old Hire files are not on the 4th floor of PAB anymore, they are either uploaded to Alfresco or in the basement room next to the elevators in B2 at PAB
- b. Laura Hall will resume processing and scanning- but probably not until February
- c. Board Members noted that room floods- they will take action to get any boxes off the floor.

MOTION: Enter executive session at 12:10 p.m. for discussion of confidential information/evidence regarding disability retirements by Commander Bancroft, seconded by Detective Baran. Meeting reconvened at 12:15 p.m.

After discussion of confidential information / evidence for each of the following cases during Executive Session, the following motions were made:

DISABILITY RETIREMENT

Retired Lieutenant, John Mulligan's (P68025) case was presented. Based upon the evidence presented to the Board, a motion to take **NO ACTION**. The motion to take NO ACTION was made by Commander Bancroft, seconded by Detective Worrell. Passed by unanimous vote.

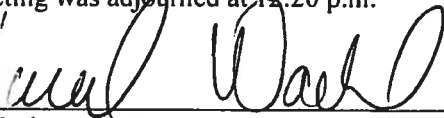
RECORD OF PROCEEDING October 10, 2019

*Note: Commander Bancroft asked HR to copy the Board when cases are assigned. This was done previously and helpful for them to know what cases were coming up. HR will update their process moving forward.

The next regularly scheduled meeting will be held on December 5, 2019 at 11:15 a.m.

MOTION: A motion to adjourn was made by Commander Bancroft and seconded by Detective Baran. The motion carried unanimously.

The meeting was adjourned at 12:20 p.m.



Laura Wachter, Deputy Manager of Safety
Appointed Chair, Police Pension and Relief Board

By signing below, the Secretary hereby certifies the above minutes were reviewed and approved by a majority vote of the Pension Board members at a regular meeting held on December 5, 2019.

ATTESTED TO:



Laura Hall, Secretary



October 23, 2019

Barb Archer, Deputy Chief of Police
Laura Wachter, Deputy Manager of Safety, Appointed Chair
Kathleen Bancroft, Commander

To all:

At the meeting of the Police Pension and Relief Board held October 10, 2019, petitions for return of sick leave in the Police Department, City and County of Denver, were confirmed with the Board pursuant to Chapter C, Article 5, Section 41-1, of the Charter of the City and County of Denver.

Upon consideration of the foregoing petitions and reports of physicians who examined the petitioners, it was regularly moved and seconded that said petitions be approved and petitioners be returned sick leave as follows:

ORIGINAL/RECURRING INJURIES:

Name	Original Injury Date	Hours Returned	First day Off
Rispoli, Michael	5/2017, 6/20/18	88	8/29/18
Montgomery, Dalton	4/29/10	8	4/26/19
Freund, Robert	2/6/19	40	2/8/19


Sincerely,

Laura Hall
Laura Hall

Pension Plan Administrator
Secretary, Old Hire Police Pension Board

By signing below, the Chief of Police’s Designee hereby certifies the petitions for return of sick leave above were approved by a majority vote of the Pension Board members at a regular meeting held on October 10, 2019.

ATTESTED TO:


Barb Archer, Deputy Chief of Police
Chief of Police Designee

Human Resources | Department of Public Safety
200 W 14th Ave, 3rd Floor | Denver, CO 80204
www.denvergov.org
p. 720.913.6741 | f. 720.913.7050



To: Old Hire Police Pension Board
From: Laura Hall, Pension Plan Administrator, Safety Human Resources
Date: October 10, 2019
Re: Pension Repayment Outstanding Amounts and Summary

With the majority of issues regarding outstanding payments resolved, the City Attorney's Office (CAO) submitted a notice to CliftonLarsonAllen LLP (CLA) regarding the final totals of overpayments that were not collected from the pensioners. A discussion took place with the CLA firm about resolving this matter and what amount the firm will be expected to cover. The original overpayments totaled about \$1.2 million and all but approximately \$198,000 was collected back from the pensioners.

A settlement agreement was entered into as of September 30, 2019, between the City and County of Denver and CliftonLarsonAllen LLP and signed as of October 1, 2019, where CLA agreed to repay a claim of \$145,000. The total overpayment not collected from the pensioners totaled approximately \$198,000, so with this settlement, CLA will repay the Fund over 2/3rds of that amount.

Based on assessment by the CAO, this is the preferred pathway to making the Fund almost whole.