MINUTES OF THE REGULAR MEETING OF THE OKLAHOMA POLICE PENSION AND RETIREMENT BOARD

Board Room 1001 N.W. 63rd Street, Suite 305 Oklahoma City, Oklahoma 73116

MAY 17, 2023

The regular meeting of the Oklahoma Police Pension and Retirement Board was called to order by Chairman Chris Cook at approximately 10:00 a.m. on Wednesday, May 17, 2023, in the Board Room of the Oklahoma Police Pension and Retirement System.

MEMBERS PRESENT: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan

Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry

Morris.

OTHERS: Ginger Sigler, Executive Director; Sean Ruark, Deputy Director; Deric

Berousek, Chief Financial Officer; Darcie Gordon, Administrative Officer; Jason Pulos, Asset Consulting Group; Marc Edwards, Legal Advisor: Terry Prigmore, David Shupe, Randy Scott, Billy Pratt, and several other retirees

of the system

MEMBERS ABSENT: Jeff Cealka and Mike Mazzei

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APPROVAL OF MINUTES OF REGULAR BOARD MEETING HELD APRIL 19, 2023

Motion by Mark Nelson and second by Thomas Cooper to approve the minutes of the Regular Board Meeting held April 19, 2023. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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CONSIDERATION AND VOTE, SUBJECT TO BOARD'S EXCEPTION, ON THE FOLLOWING APPLICATIONS

a. Application for Participation:

Name City Tyler J. Horton Anadarko Drake M. Smith Atoka Bartlesville Michaela C. Stick Cory D. McDow Blackwell Chandler Devin L. Taylor Mark A. Morgan, II Choctaw Dylan R. Robins Choctaw Tommy L. Moree Claremore Nicolas J. Roche Claremore Christopher L. Chase Claremore Jace E. Allison Glenpool Ryan M. Dougherty Glenpool Julia L. Eastep Lindsay

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Jack W. Allen McAlester Ethan D. Brown McAlester Marc D. Harnly McAlester Jordan S. James McAlester Perry R. Bartels Norman Matthew J. Davis Norman Tyler M. Deckys Norman Charlynn M. Estes Norman William B. Haley Norman Xavier M. McGahee Norman David D. Moore Norman Michael B. Newcomer Norman Ashlee M. Richards Norman Samuel C. Shattuck Norman Alexander M. Wood Norman Brandon J. Stockard Pauls Valley Jackson G. Stepp Pawhuska Sierra S. Long Ponca City Ricky A. Mardis-Rios Ponca City ReAnna N. Sage Ponca City Timothy W. Siebuhr Ponca City Jeremy A. Cantrell Pryor Creek Michael C. Million Sapulpa Nicholas A. Bobo-McGuire Savanna Jolene M. Doucette Seminole Keith S. Knoll Stringtown Calissa R. Childers Sulphur Tulsa Brittany L. Bax Alicia M. Cruz Tulsa Brisa Lares Tulsa Dereck C. Lewis Tulsa Tulsa Miguel A. Perez William C. Rake Tulsa McKensi A. Spears Tulsa Kendall O. Tidwell Tulsa Edward L. Wofford, V Verdigris William M. Cantrell. III Vinita Joshuah A. Heilig Vinita Justin R. Ives Warner Cody L. Hornbeck Waurika Gloria E. Rivera Weatherford **Emanuel Ruiz** Weatherford Jacob D. McElroy Wetumka Charles Sharp Wetumka Tyler R. Ward Woodward

b. Application for Refund of Contributions:

Name City Parker Green Ardmore Ian Naylor Ardmore Luke Hall Collinsville Nicholas Dziewa Duncan Jason Guth Enid Ben McGrath Enid Ryan Reed Hominy Tyler Oakes Hugo Jeremy Flowers Idabel Gerardo A Vallejo Lawton Trevor Munday Lexington Timothy L. Franklin, Jr. Marlow David O. Opeoluwa Moore **Christopher Rochell** Muskogee Kathleen Ketner Oklahoma City Ponca City Napoleon Elston Mary Reed Poteau Chris Perteet Sr. Seminole Jordan A. Coles Stringtown Justin Botkin The Village Nathan Edwards Tulsa Gloria James Tulsa Christopher Wilmot Union City Cougar Martin Vinita Robert R. Rice Wagoner Jimmy R. Tannehill Wagoner Cary C. Heath Warner **Derek Sinor** Tonkawa

c. Application for Participation in the Oklahoma Police Deferred Option Plan Under the Back Drop Provision:

<u>Name</u>	<u>City</u>	DOP Eff. Date	Service Pension Eff. Date
David M. Otwell	Edmond	06/01/2018	06/01/2023
Ricky L. McCollister	Lawton	06/01/2018	06/01/2023
Ronald C. Smith, Jr.	Marlow	06/01/2018	06/01/2023
Joey D. Williams	Miami	10/01/2020	06/01/2023
CB Abel	Muskogee	09/01/2021	06/01/2023
Michael D. Black	Oklahoma City	06/01/2018	06/01/2023
Michael A. Kelley	Oklahoma City	06/01/2018	06/01/2023
Chris A. Larson	Oklahoma City	06/01/2018	06/01/2023
Blaine Martens	Oklahoma City	06/01/2021	06/01/2023
James E. Martin	Oklahoma City	06/01/2018	06/01/2023
Anthony S. Nelson	Oklahoma City	06/01/2018	06/01/2023
Robert D. Weemhoff	Oklahoma City	06/01/2018	06/01/2023

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Kevin L. Austins	Purcell	05/01/2018	05/01/2023
Richard G. Leport	Stillwater	06/01/2018	06/01/2023
Leland Ashley	Tulsa	06/01/2018	06/01/2023
William B. Bailey	Tulsa	06/01/2018	06/01/2023
Gregory M. Comfort	Tulsa	05/01/2018	05/01/2023
Darren Froemming	Tulsa	06/01/2018	06/01/2023
Kurt D. Herman	Tulsa	06/01/2018	06/01/2023
Shawn Hickey	Tulsa	05/01/2018	05/01/2023
Curtis J. Jackson	Tulsa	06/01/2018	06/01/2023

d. Application for Service Pension:

<u>Name</u>	<u>City</u>	<u>Eff. Date</u>
Bradley B. DeLozier	Lawton	05/01/2023
Eric S. Weatherly	Lawton	07/01/2023
Bryan J. Eastridge	Oklahoma City	06/01/2023

e. Application for Vested Benefit:

<u>Name</u>	<u>City</u>	<u>Eff. Date</u>
Ryan D. Rogers	Tulsa	07/03/2032

f. Death Benefit:

<u>Name</u>	<u>City</u>
Jamie Henderson, widow of	Bixby
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Jason Henderson

Evelyn I. Ridley, widow of Lawton

George L. Ridley, Jr.

Nathan H. Scott, Surviving Child of Norman

Robert E. Scott

Glenda Kirkwood, widow of Oklahoma City

Billy G. Kirkwood

Pamela Spanbauer, widow of Oklahoma City

Richard Spanbauer

Lora K. Cartner, widow of Tulsa

Robert E. Cartner, Jr

Sharon M. Cunningham, widow of Tulsa

Ronald L. Cunningham

Laura Jarrett, widow of Tulsa

Michael Jarrett

Jeffery D. McKee, II, Personal Rep. of McAlester

Jeffery D. McKee, Sr.

Dana J. Zamudio, Personal Rep. of Sapulpa

Stephen A. Zamudio

g. Continuation of Benefit:

Name Jamie Henderson, widow of Bixby

Jason Henderson

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Lawton

Evelyn I. Ridley, widow of

George L. Ridley, Jr.

Nathan H. Scott, Surviving Child of Norman

Robert E. Scott

Glenda Kirkwood, widow of Oklahoma City

Billy G. Kirkwood

Pamela Spanbauer, widow of Oklahoma City

Richard Spanbauer

Lora K. Cartner, widow of Tulsa

Robert E. Cartner, Jr

Sharon M. Cunningham, widow of Tulsa

Ronald L. Cunningham

Laura Jarrett, widow of Tulsa

Michael Jarrett

h. Application for Monies Due the Estate from the System:

<u>Name</u> <u>City</u>

Jeffery D. McKee, II, Personal Rep. of McAlester

Jeffery D. McKee, Sr.

Cynthia Sampson, Personal Rep. of Oklahoma City

Sandra Hanneman

Steve Jarman, Personal Rep. of Pauls Valley

Odell Jarmen

Dana J. Zamudio, Personal Rep. of Sapulpa

Stephen A. Zamudio

i. Termination of Benefit:

Name City

Jeffery D. McKee, Sr.

Sandra Hanneman

Odell Jarmen

Stephen A. Zamudio

McAlester

Oklahoma City

Pauls Valley

Sapulpa

Motion by Mark Mason and second by Thomas Cooper for approval of applications for Police Deferred Option Plan, Participation, Service Pension, Refunds, and Benefits. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Mason, John Laws, and Jerry Morris. Nays: Mark Nelson. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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DENNY C. HOLDEN, NEWCASTLE - REQUEST TO BUY BACK PRIOR SERVICE FROM NORMAN POLICE DEPARTMENT FROM 07/11/2003 TO 10/22/2004. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.

Motion by Thomas Cooper and second by Jeff Russell to approve the request to buy back prior service from the Norman Police Department from 07/11/2003 to 10/22/2004 for Denny C. Holden, Newcastle. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan

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Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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BRANDON D. DISNEY, TULSA - REQUEST TO BUY BACK PRIOR SERVICE FROM THE TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.

Motion by Mark Nelson and second by Mark Mason to approve the request to buy back prior service from the Teachers' Retirement System of Oklahoma for Brandon D. Disney, Tulsa. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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APPLICATION FOR SURVIVOR'S PENSION FOR DEATH IN LINE OF DUTY AND DEATH BENEFIT – JOSEPH L. BARLOW, MCALESTER. PROPOSED EXECUTIVE SESSION IF DEEMED NECESSARY BY LEGAL COUNSEL TO DISCUSS APPLICATION FOR SURVIVOR'S PENSION FOR DEATH IN LINE OF DUTY AND DEATH BENEFIT – JOSEPH L. BARLOW, MCALESTER, PURSUANT TO 25 O.S. § 307(B)(7) IN THAT DISCLOSURE OF INFORMATION WOULD VIOLATE CONFIDENTIALITY REQUIREMENTS OF STATE OR FEDERAL LAW.

Motion by Ryan Woods and second by Mark Mason to enter into Executive Session (at approx. 10:03 a.m.). Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

Motion by Thomas Cooper and second by Mark Mason to enter back into Open Session (at approx. 10:14 a.m.). Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

No action was taken on this item.

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APPLICATION FOR SURVIVOR'S PENSION FOR DEATH IN LINE OF DUTY AND DEATH BENEFIT – RICHARD S. PARKER, MCALESTER. PROPOSED EXECUTIVE SESSION IF DEEMED NECESSARY BY LEGAL COUNSEL TO DISCUSS APPLICATION FOR SURVIVOR'S PENSION FOR DEATH IN LINE OF DUTY AND DEATH BENEFIT – RICHARD S. PARKER, MCALESTER, PURSUANT TO 25 O.S. § 307(B)(7) IN THAT DISCLOSURE OF INFORMATION WOULD VIOLATE CONFIDENTIALITY REQUIREMENTS OF STATE OR FEDERAL LAW.

No action was taken on this item.

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REVIEW OF BOARD REPORTS

The Account #6000, Fund 20000 (operating expenses), report is attached as Exhibit "A"; the Account #8557A, Fund Expenditures (receipts and disbursements), report for April 2023 is attached as Exhibit "B"; the Broker Commission Report is attached as Exhibit "C"; the Statement of Total Fund is attached as Exhibit "D", and the Monthly Claims Register is attached as Exhibit "E".

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ASSET CONSULTING GROUP - FINANCIAL CONSULTANT REPORT FOR MONTH ENDED APRIL 30, 2023, QUARTERLY REPORT FOR QUARTER ENDED MARCH 31, 2023, AND DISCUSSION ON REBALANCING PORTFOLIO ASSETS AMONG VARIOUS ASSET STRATEGIES AND MANAGERS. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.

Mr. Jason Pulos reviewed the ASAP report for the month ended April 30, 2023, a copy of which is attached as Exhibit "F". As of April 30, 2023, the total fund was approximately \$2,978,323,000.00. The one-year return net of fees for the total fund is -2.42%.

Mr. Jason Pulos also reviewed the Quarterly Report for the quarter ended March 31, 2023, a copy of which is attached as Exhibit "G".

<u>CASE NO. OPPRB 23-03, APPLICATION FOR DISABILITY BENEFIT IN LINE OF DUTY FOR DAVID MCCRACKEN, GROVE</u>

Motion by Mark Mason and second by Jeff Russell to award Mr. David McCracken a 100% in line of duty disability. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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CASE NO. OPPRB 23-06, APPLICATION FOR DISABILITY BENEFIT IN LINE OF DUTY FOR TERRY PRIGMORE, YUKON

Motion by Mark Mason and second by Bo DeBose to award Mr. Terry Prigmore a 100% in line of duty disability. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

CASE NO. OPPRB 23-09, APPLICATION FOR DISABILITY BENEFIT IN LINE OF DUTY FOR MICHAEL ABLES, OKLAHOMA CITY

Motion by Thomas Cooper and second by Mike Brown to enter into Executive Session (at approx. 10:39 a.m.). Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

Motion by Thomas Cooper and second by Mark Nelson to enter back into Open Session (at approx. 11:01 a.m.). Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

Motion by Mark Nelson and second by Thomas Cooper to award Mr. Michael Ables a 100% in line of duty disability. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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<u>DISCUSSION AND POSSIBLE ACTION REGARDING THE OKLAHOMA TREASURER'S LIST OF</u> FINANCIAL COMPANIES AND COMPLIANCE WITH HB 2034

Motion by Mark Nelson and second by Jeff Russell to direct staff to draft a letter to the State Treasurer stating that OPPRS has no direct investments in any securities of the listed financial companies. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei, Motion Carried.

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REVIEW BUDGET WORK PROGRAM FOR FISCAL YEAR 2024 BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.

Ms. Ginger Sigler reviewed the Budget Work Program for Fiscal Year 2024 beginning July 1, 2023 and ending June 30, 2024, a copy of which is attached as Exhibit "H".

Motion by Mark Nelson and second by Mike Brown to approve the Budget Work Program for Fiscal Year 2024 beginning July 1, 2023 and ending June 30, 2024. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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FINLEY & COOK, PLLC - CERTIFICATION OF ELECTION RESULTS FOR STATE BOARD DISTRICTS 3 & 6. BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY.

Ms. Ginger Sigler presented the election results for Districts 3 and 6, a copy of which is attached as Exhibit "I". Thomas Cooper won the District 3 election with 119 votes, to Donald Johnson's 63 votes. Therefore, he represents District 3 for a three-year term beginning July 1, 2023.

Mark Nelson was the only member from District 6 to submit a Nomination Petition. Therefore, he automatically becomes the Board member to represent District 6 for a three-year term beginning July 1, 2023.

Motion by Mike Brown and second by Ryan Woods to certify the election results for Districts 3 and 6. Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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LEGISLATIVE UPDATE

Ms. Sigler updated the board on the current bills dealing with police pensions or the system.

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NEW BUSINESS

Chairman Cook advised that several board members would not be able to attend the August 2023 board meeting.

Motion by Jerry Morris and second by Bo DeBose to change the August Board Meeting to August 23, 2023 Ayes: Tim Foley, Thomas Cooper, Chris Cook, Jeff Russell, Mike Brown, Ryan Woods, Bo DeBose, Mark

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Nelson, Mark Mason, John Laws, and Jerry Morris. Absent: Jeff Cealka and Mike Mazzei. Motion Carried.

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BOARD MEMBERS REPORTS

No board member reports.

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<u>DISCUSSION OF SEMINARS/CONFERENCES.</u> BOARD TO TAKE APPROPRIATE ACTION AS DEEMED NECESSARY

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DIRECTOR'S REPORT

Ms. Sigler noted that she, Chris Cook, and Tim Foley had a very informative trip to NYC and learned a lot. She noted the Internal Auditors were in the office this week, the staff were delivering goodies to our Kindergarten class and the Tenant Picnic was happing downstairs right now.

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PUBLIC COMMENTS

Mr. Randy Scott addressed the board and mentioned he had served on this board in the past and knew what challenges the board members are faced with in their position. He noted it was his opinion that SB102 should be looked at closely as it applies to new members just starting in the system and he would not object to a new member obtaining 90% upon full retirement. He stated his main concern was when he left Oklahoma City Police Department 10 years ago about 40% of the department could have back dropped at any time and walked out leaving the system with a huge impact. He feels this is true today as well and if they took advantage of the 90% and had not paid a representative amount for their time in service it would hurt this system. He explained when he retired, he was able to buy back time from another agency by paying for the correct assumptions that were already in place with the OPPRS System. Mr. Scott added that if he could ever help, he was available, and has contact to many legislators still. He explained that he supported the work of the board and could support the bill if it could be done correctly. He said he hoped if the OPPRS board is going to allow current members to utilize the 90% retirement, the OPPRS board takes the time and looks into finding a way to do some of the assumptions currently used for buy back so the current member pays increased contributions if they wish to utilize the 90% retirement.

Mr. Billy Pratt addressed the board with the following comments.

My name is Billy Pratt. I am a retiree from the Oklahoma City Police Department. I have been retired 16 years. I appreciate the work this board does. I know it is not an easy task. Since I have been retired and for several years before that, unless I am mistaken, there has been only one stipend given out and no COLAs for retirees. I know that our pension is more than 100% funded. I also know that any decision about whether to give a COLA is mainly decided by how well our pension is funded. I know that SB102 as currently written will negatively impact our pension funding. I request that the board not support anything that will negatively impact our pension funding. (At this point Mark Nelson asked me whether I knew that awarding a COLA would negatively impact the funding level) I said, let me restate, I would ask you to not support anything that would negatively impact our finding level that does not positively impact retirees. Thank you for letting me speak.

Mr. David Shupe addressed the board and read the following letter.

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In the previous meeting Mr. Nelson made a valid point regarding the fact that active officers are members, and they don't benefit from COLAs or Stipends. I agree with that. I try very hard to listen to all views. Thank you Mark for bringing that up. This is important. So I thought about that and my previous comments about doing what is JUST when there is more than one right answer to an issue.

So as an illustration to myself and now to you, a topped out non-supervisory Sergeant with the Oklahoma City Police Department receives a base pay of approximately \$104,000 a year. That does not include assignment pay, education incentive or overtime. And they deserve every penny of that with the environment they must work in.

In contrast, 16 percent of our retired members receive a benefit less than \$20,000 per year (less than 1/5th of what a topped out OCPD Sergeant receives). 39 percent of our retired members receive a benefit less than \$30,000 per year. And 67 percent of our retired members receive a benefit less than \$40,000 per year or only 38% of what a top step OCPD Sergeant receives annually. Who in this room currently lives within those financial parameters?

You are the only representation retirees have. The FOP primarily represents active officers. I respect that. So, I simply ask you as OPPRS Board members to consider two things as it relates to SB 102. What is the just position for you to take as the leaders and decision makers of OPPRS? Who needs the financial assistance the most? And finally, precedence already exists when a change of benefit is initiated, it starts at the time of employment or membership into the system.

When this or a similar bill is re-introduced in February, I respectfully request you consider opposing it. Good grief, how could you not? In closing, I want to publicly express my appreciation for District 7 Board Member Jeff Cealka. He has been extremely responsive to questions regarding these issues and is obviously extremely knowledgeable. So, thank you Mr. Cealka. And thank you to all the OPPRS staff for what you do for all members.

Thank you, Mr. Chairman, for allowing me a few more minutes to speak and thank you to all board members for your service. You have a thankless job, but so extremely important to the financial future of all members and their families. Together we must all find a way to do better for our retired members, but never forgetting our active members also.

The board took no action from the public comments.

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The meeting was adjourned at approximately 11:53 p.m.

Notice of this meeting was filed with the Secretary of State and the agenda for the meeting was posted in compliance with the Open Meeting Act.

RESPECTFULLY SUBMITTED BY DARCIE GORDON, ADMINISTRATIVE OFFICER.