City of Portland Bureau of Fire and Police Disability and Retirement
Agenda for Regular Meeting – Board of Trustees
City Council Chambers – City Hall
1221 SW Fourth Avenue, 2nd Floor, Portland, Oregon 97204
Tuesday, November 15, 2016 – 1:00 p.m.

ADMINISTRATION
The following consent item(s) are considered to be routine and will be acted upon by the Board in one motion, without
discussion, unless a Board member, staff member or the public requests an item be held for discussion.

1 Approval of Minutes – September 27, 2016 Meeting
2 Introduction of New Board Members

INTRODUCTION OF VISITORS
PUBLIC COMMENT PERIOD
A sign up sheet for members of the public wishing to make public comments will be available at the meeting. The public
comment period will not exceed 30 minutes. Therefore, the Board may limit individual comments to three minutes per person. In
addition, a sign up sheet will be available prior to the meeting to allow public members the opportunity to sign up for an agenda
item which they wish to provide comment on. When discussion on a specific agenda item is to begin, the public member will be
allowed three minutes to provide comments, unless additional time is allowed by the Board.

ACTION ITEMS
1 Resolution No. 514 – Administrative Rule Amendments to Section 5.4
   o Issue: Amendments to Section 5.4 to comply with 1) ORS 237.600 and ORS 237.620 and 2) the requirements of arbitrators’ opinions and awards regarding the PFFA, PPA and PPCOA’s alternate payee grievances.
   o Expected Outcome: Board adopts amendments as proposed by staff.

INFORMATION ITEMS
The following information items do not require action by the Board and are solely for informational purposes unless a Board
member, staff member or the public requests an item be held for discussion.

1 Impact of New Police Contract on FPDR
2 State of FPDR
3 FPDR Updates
4 Future Meeting Agenda Items
5 FPDR Summary of Expenditures

Copies of materials supplied to the Board before the meeting, except confidential items and those referred to Executive Session, are available for
review by the public on the FPDR website at www.portlandoregon.gov/fpdr or at the FPDR offices located at: 1800 SW First Avenue, Suite 450,
Portland, Oregon 97201

NOTE: If you have a disability that requires any special materials services or assistance call (503) 823-6823 at least 48 hours before the
meeting.
#denotes items will be in Executive Session pursuant to ORS 192.660(2)(h) and not open to the public
A regular meeting of the Board of Trustees of the Fire and Police Disability and Retirement Fund was called to order on the 27th day of September 2016 at 1:03 p.m.

Board Members Present Included:

Mr. Justin Delaney, Citizen Trustee, Chair Pro Tempore  
Mr. Jason Lehman, Fire Trustee  
Mr. David Dougherty, Citizen Trustee

Board Members Absent Were:

Mayor Charlie Hales  
Mr. Robert Foesch, Police Trustee

Also Present Were:

Mr. Samuel Hutchison, FPDR Director  
Ms. Kimberly Mitchell, FPDR Claims Manager  
Ms. Stacy Jones, FPDR Finance Manager  
Ms. Sheri Miller, FPDR  
Mr. Kenneth A. McGair, Sr. Deputy City Attorney  
Mr. Franco Lucchin, Deputy City Attorney  
Mr. Lorne Dauenhauer, FPDR Outside Legal Counsel  
Mr. Scott Preppernau, Actuary, Milliman  
Mr. Gabe Sansone, Fire Liaison  
Ms. Crystal Viuhkola, Police Liaison  
Mr. Alan Ferschweiler, President PFFA  
Mr. Craig Morgan, President PPCOA  
Mr. Daryl Turner, President PPA  
Mr. Trevor Caldwell, Attorney  
Mr. Nelson Hall, Attorney  
Mr. Del Stevens, Retired Fire Member  
Mr. Henry Groepper, Retired Police Member

Mr. Delaney called the meeting to order. Mr. Delaney then asked for approval of the minutes.

*Mr. Dougherty made a motion that was seconded by Mr. Lehman and unanimously passed to approve the minutes of the May 24, 2016 Board meeting.*
Minutes - Summary

[[THE FOLLOWING SUMMARIZED MINUTES WERE CONDUCTED IN PUBLIC SESSION. THERE WAS NO PORTION OF THE MINUTES THAT WERE IN EXECUTIVE SESSION.]]

<table>
<thead>
<tr>
<th>Aye</th>
<th>Mr. Delaney, Mr. Lehman, Mr. Dougherty</th>
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<tbody>
<tr>
<td>Nay</td>
<td>None</td>
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<tr>
<td>Abstain</td>
<td>None</td>
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<tr>
<td>Absent</td>
<td>Mayor Hales, Mr. Foesch</td>
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An introduction of visitors was then done. Mr. Delaney informed the audience that he would be chairing the meeting in Mayor Hales absence and also that the State of FPDR would be deferred to the November meeting when they have broader participation. He added that City Hall may be locked down for the duration of the current meeting.

General Public Comments:

Mr. Del Stevens addressed the Board and stated that he brought up an issue a couple of years ago that the public should also be included in the approval process of minutes, that the Mayor agreed and several times after that the Mayor would ask if anyone from the public had any comments. However, Mr. Stevens added that has not been done for some time. At the last meeting in May, the Board approved the March minutes with just the Board approving and commenting on them and no question was referred to the public and Mr. Stevens stated he would like a chance to make a comment about the March minutes. He stated that page 5 of the minutes says that “Mr. Delaney stated that the argument against sticking with two percent across the board is that the FPDR plan is already a very generous pension plan, much more so than PERS. He agreed that the job of firefighters and police officers is harder than the average PERS workers job, but FPDR members are on a pension for much longer than the average PERS retiree is…” Mr. Stevens stated that his issue is that he would like to know on what basis Mr. Delaney can say that the FPDR plan is a generous plan, more so than PERS. He asked what was his authority and source for that comment.

Mr. Delaney replied that they are in the public comment period and he would not be responding at the present time, but would be happy to respond to Mr. Stevens outside of the public comment period. However, he did add to Mr. Stevens that he has listened to multiple iterations of the FPDR actuarial report and that the FPDR is tested against PERS to which Mr. Stevens stated that he did know that but the minutes become a public document and it should be reflected that there is a question whether he has a valid comment.
Action Item No. 1 – Actuarial Assumptions for Valuation and Levy Adequacy Analysis.

Mr. Preppernau explained their work on the June 30, 2016 actuarial valuation of the FPDR program and the associated levy-adequacy modeling project. He stated that his memo of September 20, 2016 summarizes the assumptions and the direction that he anticipates using for that work product and gave a brief overview of some of the main topics. He explained that the last experience study for FPDR was conducted in 2014 and most of the demographic and economic assumptions from that study will continue to be used for the June 30, 2016 valuation. He stated that as far as how the experience study will be implemented for the valuation is: 1) the discount rate that is required for financial reporting purposes by GASB. He stated that it is down to 2.85 percent and that is what he plans to conduct the valuation at. 2) the mortality assumption. He recommended that the mortality assumption be based on the PERS experience because that population is larger and more statistically credible. He also covered the 27 pay period adjustment. He explained that at the last valuation, they reflected the Charter changes that had eliminated the possibility of retirement months with 27 pay periods, but now that has been reversed and they are going to add an assumption regarding the average increase to a member’s final average pay. Mr. Preppernau also addressed future FPDR Two COLAs. He stated that they are going to do three valuation and levy adequacy analyses; one with modified PERS, one with old PERS, and one with new PERS. Mr. Hutchison clarified that he had directed the actuaries to do the three analyses. Mr. Preppernau stated that they anticipate completing the June 30, 2016 actuarial valuation and baseline levy adequacy modeling using the modified PERS COLA approach for future years.

Mr. Delaney stated that a question was asked by Mr. Stevens in the public comment period and he is curious when the FPDR’s next equal to or better than analysis is scheduled for. He added he knows they don’t have to do the whole analysis because the FPDR has been far above the PERS benchmark. Ms. Jones stated that the analysis is done every 12 years now and if there is a change in plan benefits, they can be sooner. She stated that she thought the last analysis was in 2010. Mr. Delaney asked if the COLA change triggers an analysis. Ms. Jones stated that the FPDR would have to do something lower than PERS in order to trigger that and the FPDR COLA was above the PERS COLA.

Mr. Lehman made a motion which was seconded by Mr. Dougherty and passed by a roll call vote of 3-0 to adopt the actuarial assumptions for the upcoming plan valuation and levy adequacy analysis recommended by Milliman.
Minutes - Summary

[[THE FOLLOWING SUMMARIZED MINUTES WERE CONDUCTED IN PUBLIC SESSION. THERE WAS NO PORTION OF THE MINUTES THAT WERE IN EXECUTIVE SESSION.]]

Aye | Mr. Lehman, Mr. Dougherty, Mr. Delaney
Nay | None
Abstain | None
Absent | Mayor Hales, Mr. Foesch

**Action Item No. 2 – Resolution No. 511 – FPDR Office Space**

Mr. Hutchison explained that the FPDR lease is due to expire on July 31, 2017. He stated that he has been working with Mike Holzgang of Colliers International who is under contract with the City to provide services for office locations and office moves. He stated that FPDR looked at three options with regard to office space: 1) move to a new office; 2) stay in the existing office and downsize the space; 3) stay in the existing office space as is. He also went over the Portland Building reconstruction which should be completed by 2020. He stated that after consideration of the options renewing the current lease until 2020 provided the best options.

*Mr. Dougherty made a motion which was seconded by Mr. Lehman and passed by a roll call vote of 3-0 to approve Resolution No. 511.*

Aye | Mr. Dougherty, Mr. Delaney, Mr. Lehman
Nay | None
Abstain | None
Absent | Mayor Hales, Mr. Foesch

Mr. Hutchison also clarified that City Council will need to approve the agreement.

**Action Item No. 3 – Resolution No. 512 – Amend Online Business Systems Contract**

Ms. Miller stated that they would like to amend the contract with the current database vendor, Online Business Systems, to extend the contract term for five years and increase the agreement for PTE services by $500,000 for a not to exceed contractual total of $1,150,000. She explained that the amendment would provide systems design, maintenance and programming services for the FPDR database for the next five years. She added that the database is used to make all benefit related payments, to maintain beneficiary information and to process the yearly 1099s. Ms. Miller also stated that the database is wholly owned by FPDR so it is entirely FPDR’s responsibility for maintenance and upgrades to insure the application is operational in the City’s current and future technology structure.

*Mr. Lehman made a motion which was seconded by Mr. Dougherty and passed by a roll call vote of 3-0 to approve Resolution No. 512.*
Mr. Hutchison clarified that approval of the contract was a two-step approval and will be sent to City Council for approval next.

**Action Item No. 4 – Resolution No. 513 – Amend Piracle, Inc. Contract**

Ms. Miller stated that as part of the database they have a separate software, which is the Piracle contract, that links onto the database that prints the checks. She explained that in reviewing the current contract with Piracle it was discovered that the contract did not adequately address FPDR’s annual support and maintenance needs so Procurement Services recommended that FPDR renew the current contract for periodic development needs and create a new one to address the ongoing yearly maintenance requirements.

*Mr. Dougherty made a motion which was seconded by Mr. Lehman and passed by a roll call vote of 3-0 to approve Resolution No. 513.*

**Information Item No. 1 – State of FPDR**

This agenda item was postponed until the November Board meeting.

**Information Item No. 2 – FPDR Updates**

Mr. Hutchison provided updates to:

- 27 pay period issue. The issue will be on the City Council’s October 5, 2016 agenda to amend the Charter and reinstate the 27 pay periods for PPA. With regards to PFFA and PPCOA, there are still steps that need to happen before that occurs for those two organizations.
- Procedural amendments. Two procedural amendments will be presented to City Council in the next month or two: 1) The FPDR has been paying a tax remedy or tax offset benefit according to Oregon statute but it is not addressed in the plan document. Per the IRS, the plan document should be outlining all the benefits the FPDR is paying. 2) Cite new GASB Statements.
[THE FOLLOWING SUMMARIZED MINUTES WERE CONDUCTED IN PUBLIC SESSION. THERE WAS NO PORTION OF THE MINUTES THAT WERE IN EXECUTIVE SESSION.]

- Alternate Payee rules will be presented at November meeting to comply with the alternate payee grievance. A Q&A session on the rue amendments will be held in October.
- Police Trustee Election.
- Citizen Trustee Appointment.

Information Item No. 3 – Future Meeting Agenda Items

Mr. Hutchison: Proposed meeting schedule. March meeting will be the third Tuesday due to spring break. November meeting will be the week after Thanksgiving.

Information Item No. 4 – FPDR Summary of Expenditures

There was no discussion on this item.

There being no further business, the meeting was adjourned at 1:55 p.m.

Samuel Hutchison
Director

/kk
RESOLUTION NO. 514

WHEREAS, the Board of Trustees (Board) of the Bureau of Fire and Police Disability and Retirement (FPDR) determined that changes were necessary to the FPDR Administrative Rules; and

WHEREAS, on July 20, 2016 the Portland City Council passed Ordinance No. 187905 to amend the Fire and Police Disability, Retirement and Death Benefit Plan in order to 1) comply with ORS 237.600 pertaining to domestic relations orders awarding benefits to alternate payees and 2) provide additional benefits required by law to Members of the Portland Fire Fighters Association, Portland Police Association and Portland Police Commanding Officers Association (Associations) for good faith compliance with the requirements of the arbitrators’ opinions and awards regarding the Associations’ alternate payee grievances; and

WHEREAS, staff recommends amendments to Section 5.4 to incorporate the amendments under Ordinance No. 187905; and

WHEREAS, FPDR staff and the City Attorney’s office held a public question and answer session on the amendments to Section 5.4; and

WHEREAS, the amendments to Section 5.4 were also posted on the FPDR website; and

WHEREAS, no objections and/or comments have been submitted; and

WHEREAS, the Board has considered and recommends the amendments to Section 5.4 of the FPDR Administrative Rules as shown on Exhibit “A”, attached hereto and by this reference made a part hereof; and

WHEREAS, it is appropriate and in the public interest that the FPDR Administrative Rules be changed in accordance with the recommendation of the Board; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that Section 5.4 of the FPDR Administrative Rules be amended as shown on Exhibit “A”.

ADOPTED by the Board of Trustees on the 15th day of November, 2016.

Samuel Hutchison
FPDR Director

fund\resolution\514
City of Portland, Oregon
FIRE AND POLICE DISABILITY, RETIREMENT
AND DEATH BENEFIT PLAN

Administrative Rules
FPDR ONE AND TWO BENEFITS

SECTION 5.4 – RETIREMENT BENEFITS AND APPEALS PROCESS

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Adopted November 12, 1991
Effective February 1, 1992

As Amended by:
Resolution No. 287 on August 8, 1995, Resolution No. 288 on September 12, 1995,
Resolution No. 298 on October 14, 1997, Resolution No. 320 on December 14, 1999,
Resolution No. 323 on April 11, 2000, Resolution No. 332 on April 17, 2001,
Resolution No. 335 on August 14, 2001, Resolution No. 338 on December 11, 2001, Resolution
No. 340 on January 15, 2002, Resolution No. 345 on April 9, 2002, Resolution No. 349 on August
13, 2002, Resolution No. 350 on August 13, 2002,
Resolution No. 351 on September 10, 2002, Resolution No. 352 on October 8, 2002,
Resolution No. 365 on August 12, 2003, Resolution No. 372 on February 10, 2004,
Resolution No. 381 on August 10, 2004, Resolution Nos. 388, 389 and
390 on June 14, 2005, Resolution No. 392 on November 8, 2005,
Resolution No. 393 on December 13, 2005, Resolution No. 405 on May 9, 2006,
Resolution No. 419 on March 13, 2007, Resolution No. 423 on November 27, 2007,
Resolution No. 435 on February 24, 2009, Resolution No. 444 on August 25, 2009, Resolution
No. 447 on January 26, 2010; Resolution No. 452 on March 15, 2011; Resolution No. 472 on
November 27, 2012, Resolution No. 479 on September 24, 2013,
Resolution No. 491 on September 23, 2014, and Resolution No. 504 on September 22, 2015,
and Resolution No. X on November 15, 2016.
5.4.01 – DEFINITIONS

“Accrued Benefit.” The term “Accrued Benefit” shall mean the amount of FPDR pension benefits a Member has earned under the Plan, generally based on the Member’s Years of Service and Final Pay and the 2.8 percent accrual rate. An Accrued Benefit is only calculated for a Member who has completed the service requirement for vesting under Chapter 5 of the City Charter.

“Actuarial Equivalent.” The term “Actuarial Equivalent” shall mean the adjustment necessary to convert a Member’s FPDR pension benefit into different payment forms or payment periods so that the total value of the Member’s benefit (and the cost to FPDR to provide the benefit) remains equal regardless of the form of benefit or commencement date the Member may elect.

“Alternate Payee.” The term “Alternate Payee” shall mean any spouse, former spouse, legally recognized domestic partner, former legally recognized domestic partner, child or other dependent of a Member who is recognized by a Domestic Relations Order as having a right to receive all or a portion of a Member’s retirement benefits.

“Annuity.” The term “Annuity” shall mean a contract or promise that provides an income for a specified period of time such as a certain number of years or a lifetime.

- A Joint and Survivor Annuity is the form of a Member’s FPDR retirement benefit in which benefit payments continue after the Member’s death to the Member’s Surviving Spouse or, if none, the Member’s Dependent Minor Children. The amount of benefit that continues to the beneficiary of an FPDR Two Member is 25%, 50%, 75% or 100% of the benefit the Member was receiving before death, depending on the Member’s irrevocable election at retirement, and of an FPDR One Member as shown in the Survivor Annuity Table in Charter Section 5-118. Death benefits payable to a Surviving Spouse are paid for the Surviving Spouse’s life. Death benefits payable to a Dependent Minor Child are payable until the date the child reaches 18 or marries, whichever occurs first.

- A Single Life Annuity is the form of benefit payment that provides a monthly income which is paid for the life of one person, the Alternate Payee.

“Beneficiary.” The term “Beneficiary” shall mean a person, other than a Member, who receives benefits under this program.

“Base Pay.” The term “Base Pay” shall mean the pay of the FPDR Two or FPDR Three Member’s position in the Bureau of Fire or Police, including premium pay but excluding overtime and payments for unused vacation, sick or other leave. When a Member is paid overtime for part of his or her regular work schedule as required by Fair Labor Standards Act
provisions, the straight-time portion of the overtime hours in the Member’s regular work schedule shall be included in Base Pay.

“Claim.” The term “Claim” means, for the purposes of this section of the Administrative Rules, a dispute by a Member or Beneficiary of a decision by the FPDR staff with regard to a retirement or death benefit under Chapter 5 of the City Charter. A Claim may also be filed by an authorized representative of the Member or Beneficiary who is the claimant.

“Claimant.” The term “Claimant” means, for the purposes of this section of the Administrative Rules, a Member or Beneficiary with a Claim or an authorized representative of the Member or Beneficiary with a Claim.

“Discovery.” The term “Discovery” means Claim documents, including chart notes, medical records, medical and vocational reports, correspondence between the Member and the Fund, recorded statement of the Member and any witness, and correspondence related to the Member’s Claim(s) to and from the Office of Administrative Hearings. Discovery does not include Claim documents that are 1) materials protected under the lawyer-client privilege as defined in Oregon Rules of Evidence 40.225 Rule 503; 2) attorney work products; and 3) material reflecting the mental impressions, case values or merits, plans or thought processes of the Member, Member’s attorney or Member’s representative or the Fund, Fund’s attorney or Fund’s representative.

“Domestic Relations Order.” A “Domestic Relations Order,” or “DRO,” is any judgment, decree or order (including approval of a property settlement agreement) which is made pursuant to a state domestic relations law (including a community property law) and which relates to the payment of marital property rights to an Alternate Payee and which has been entered by a court of competent jurisdiction and has been accepted by the Director. A DRO may divide a Member’s FPDR retirement benefits using one of two different approaches:

- A “separate interest” DRO takes a portion of the financial value of the Member’s retirement benefit as of a particular division date and assigns it to the Alternate Payee as a separate legal interest, with the Alternate Payee’s portion of the benefit being paid to the Alternate Payee based on the Alternate Payee’s life expectancy. In all cases, the financial value of benefits divided under a separate interest DRO is determined using the Plan’s definition of Actuarial Equivalent. This is the most common type of DRO and generally applies where the DRO is entered prior to the date the Member’s benefits are in pay status.

- A “shared interest” DRO is a division of the Member’s annuity payment in a specific amount or percentage between the Member and the Alternate Payee. The Member’s benefit is “shared” with the Alternate Payee; no legal separate interest is created for the Alternate Payee. The sum of total monthly benefits paid to both the Member and the Alternate Payee under a shared interest DRO is equal to the sum of monthly benefits that would have been paid to the Member in the absence of the DRO. If the Alternate Payee predeceases the Member, then the Alternate Payee’s share of the monthly benefit reverts prospectively to the Member. If the Member dies before the Alternate Payee, the Alternate Payee could be treated as a Surviving Spouse in the event the Member has a Surviving Spouse for purposes of death benefits and the DRO treats the Alternate Payee as the Surviving Spouse. Typically, this type of DRO
“Final Pay.” The term “Final Pay” shall mean the highest Base Pay received by the FPDR Two or FPDR Three Member for any of the three consecutive 365-day or, in a leap year, 366-day periods where the most recent day is the last day for which pay was received in the calendar month preceding the calendar month in which the Member retires, dies, or otherwise terminates employment with the Bureau of Fire or Police. Final Pay for any such period does not include any retroactive payments received by the Member for days preceding such 365-day or 366-day period but does include adjustments to the Base Pay of the Member’s position in the Bureau of Fire or Police that would have been received had the Member’s applicable collective bargaining agreement been in effect during such 365-day or 366-day period.

Final Pay for any FPDR Two or FPDR Three Member who retires, dies or otherwise terminates employment with the Bureau of Fire or Police and has either received FPDR disability benefits or who was employed in a part-time status by the Bureau of Fire or Police during any such 365-day or 366-day period shall be based on the Base Pay for a full-time employee in the Member’s position in the Bureau of Fire or Police at the time of retirement, death or termination from employment.

“Office of Administrative Hearings.” The term “Office of Administrative Hearings” or “OAH” shall mean an independent body that has been authorized by the Board of Trustees to review the decision of the Director that is concerning retirement or death benefits. The review may take into account all comments, documents, records, and other information the Member or Beneficiary submits, without regard to whether that information was submitted or considered in the initial benefit determination.

“Surviving Spouse.” The term “Surviving Spouse” means the individual who, at the time of the Member’s death, was the Spouse of the Member, had been the Member’s Spouse throughout the 12-month period immediately preceding the Member’s death and had not been judicially separated or divorced by interlocutory or final court decree at the time of death, unless otherwise provided in a domestic relations order that is enforceable with respect to the Member’s Plan benefit. The term “Spouse” shall, on and after June 26, 2013, mean an individual to whom a Member is lawfully married under state law, and shall be defined consistent with Rev. Rul. 2013-17 and Notice 2014-19, under which the terms “Spouse,” “husband and wife,” “husband,” and “wife” include an individual married to another individual of the same sex if the individuals are lawfully married under state law, and the term “marriage” includes such a marriage between individuals of the same sex. A same-sex domestic partner of a Member who filed an affidavit of domestic partner status form in accordance with Ordinance No. 176258 or a registered domestic partnership certificate with FPDR prior to June 26, 2013, is also considered a Surviving Spouse.

“Years of Service.” The term “Years of Service” of a FPDR Two or FPDR Three Member shall mean the service credit for FPDR Two retirement benefits as defined in Charter Section 5-302 and these Administrative Rules.
5.4.02 – APPLICATION FOR PENSION BENEFITS

All applications for pensions by FPDR One and FPDR Two Members shall be made no later than the day before the day pensions become effective. Pensions shall become effective on the day after the Members’ employment terminates or, for Members who are not eligible to retire or do not choose to retire from disability on the day their employment terminates, on the effective date of the pension application, which is the first day of pension benefits. Such pension applications shall be made prior to the last day of the month preceding the month in which Members will receive their first pension benefits payments on the second Tuesday.

5.4.03 – RETIREMENT AND DEATH BENEFIT CLAIMS

(A) Claims for retirement and death benefits under the Plan should be filed with the Director (or its delegate) using, if required by the Director, forms provided for that purpose.

(B) The Director shall provide written notification of Claim approval or Claim denial to the Member, Beneficiary or authorized representative within sixty (60) days of the Director’s receipt of a written Claim.

(C) If sufficient information is not available within sixty (60) days of the Director’s receipt of a written Claim, FPDR will provide a written notice to the Member, Beneficiary or authorized representative on the status of the review. If a written Claim approval or denial notice is not issued within ninety (90) days from the Director’s receipt of a Claim, then the Claim will be deemed denied. If a Claim is denied the Member, Beneficiary or authorized representative may file a written request with the Director for a review by a Hearings Officer.

(D) If a Member or Beneficiary Claim is denied in whole or in part, the Director shall provide a written explanation stating the reasons for the denial. The written notification will include:

1. the specific reason for the denial;
2. specific references to the pertinent Charter or Administrative Rule provisions on which the denial is based;
3. a description of any additional material or information that the Member needs to submit with an explanation of why such material or information is necessary;
4. an offer to provide the Member, on request, free of charge, reasonable access to and copies of all documents, records and other information relevant to the Claim for benefits; and
5. a description of the FPDR review procedures for retirement and death benefits and the time limits applicable to the Member.
5.4.04 – DISABILITY RETIREMENT AGE

(A) Service-connected, occupational and nonservice-connected disability benefits payable under Article 3 of the Plan shall cease upon attaining Disability Retirement Age except as provided in Section (B) hereof. A Member receiving service-connected or occupational disability benefits shall be eligible to receive a retirement benefit at Disability Retirement Age, which shall be the earlier of the dates the Member is (1) credited with 30 Years of Service for retirement benefit purposes or (2) the date the Member attains social security retirement age. Since a Member who receives a disability benefit which is less than 75 percent of the Member’s Base Pay in any given year will not be credited with a full Year of Service for any such year (refer to § 5-302(c) of the Plan), there will be more than 30 years between the time a Member was hired and the time he or she will be deemed to have reached Disability Retirement Age based on 30 Years of Service. For example, assume that a Member who has 19 Years of Service becomes disabled. Assuming that the Member receives service-connected disability benefits equal to 75 percent of Base Pay during the first year of disability and 50 percent of Base Pay thereafter, the Member would have to be disabled for 16 years before he or she would be considered to have attained Disability Retirement Age based upon 30 Years of Service. For purposes of this Administrative Rule, “Social Security retirement age” means the retirement age provided in 42 USC § 416(l)(1).

(B) A disabled Member who is receiving service-connected, occupational, or nonservice-connected disability benefits pursuant to Article 3 of the Plan at the time he or she attains Disability Retirement Age shall only be eligible to receive disability benefits up to the date he or she attains Disability Retirement Age, at which time the disabled Member shall be entitled to receive only a retirement benefit, unless the service-connected or occupational disability is determined by the FPDR Director to be temporary. If said disability is determined by the FPDR Director to be temporary, the Member shall be eligible to receive disability benefits for a period of up to two (2) years from the date of such disability. If said disability is determined by the FPDR Director to not be temporary, Member shall be entitled to receive only a retirement benefit upon attaining Disability Retirement Age.

(C) A Member covered under Article 3 of the Plan, who is actively employed by the Bureau of Police or Bureau of Fire and Rescue and suffers a service-connected, occupational, or nonservice-connected disability before attaining Disability Retirement Age, shall be eligible to receive disability benefits.

A Member covered under Article 3 of the Plan, who is actively employed and suffers a service-connected, occupational or nonservice-connected disability after attaining Disability Retirement Age, shall be eligible to receive disability benefits if said disability is determined by the FPDR Director to be temporary, for a period of up to two (2) years from the date of such disability, at which time the disabled Member shall be entitled to receive only a retirement benefit. If disability is determined by the FPDR Director not to be temporary, Member shall be entitled to receive only a retirement benefit.
5.4.05 – **BENEFIT ADJUSTMENTS**

(A) Benefits adjusted pursuant to Section 5-312 (Benefit Adjustments) of the Plan will be reviewed annually by the Board of Trustees for adjustment effective July 1 of each year to reflect changes in the cost of living. The percentage rate of change shall not exceed that applied to retirement benefits payable to police officers and fire fighters covered under the Public Employees Retirement System of the State of Oregon (PERS). A Member's benefits will be adjusted on July 1 of any given year only if the Member separates from service on or before June 30 of that year.

(B) To the extent there is any change in the Consumer Price Index (CPI) used by PERS to determine its annual benefit adjustment outside of the adjustment limits established for PERS, the difference between the CPI change and, as appropriate, the maximum PERS benefit increase or the maximum PERS benefit decrease will adjust a benefits adjustment bank (CPI Bank) for each fiscal year of retirement. The Board of Trustees may draw upon the CPI Bank to set the adjustment percentage(s) for FPDR Two Members and Beneficiaries.

1. The fiscal year used to adjust a Member’s benefit shall be the fiscal year of the day prior to the Member’s first day of retirement benefits.

2. The fiscal year used to adjust a Beneficiary’s benefit shall be the fiscal year of the related Member’s retirement or, in the case of a Member’s death before retirement, the fiscal year in which the Beneficiary entered into pay status.

3. The fiscal year used to adjust an Alternate Payee’s benefit, when such adjustment is required by the Domestic Relations Order, will be the earlier of the fiscal year of the related Member’s retirement or the fiscal year in which the Alternate Payee entered into pay status.

(C) Pension benefits payable under Article 1 (FPDR One Benefits) of the Plan shall vary annually and shall be based upon the current salary of a First Class Fire Fighter or First Class Police Officer, as the case may be, computed annually at the beginning of the fiscal year. Current salary shall mean the maximum payment for the fire fighter or police officer civil service classification and shall not include wages or salaries for extra duties or extra services.

5.4.06 – **EXEMPTION FROM EXECUTION**

Pension benefits are generally exempt from assignment to another party, with the exception of properly executed and accepted Domestic Relations Orders. Properly written garnishments on distributions, such as state-ordered child support, that are executions on the payment of the benefit rather than the benefit itself will be followed.

5.4.07 - **RECOVERY OF OVERPAYMENTS**

The Director may recover overpayments of pension benefits paid to an overpaid Member or other eligible payee. In the case of a Member or payee currently receiving pension benefits, the Director may obtain such recovery through an offset of an amount not to exceed ten percent (10%) of any future monthly benefit payment until the overpayment is recovered in full. The Director may also
allow, or the Board of Trustees may require, an overpaid Member or eligible payee to satisfy the overpayment through a different recovery method determined reasonable by the Director and/or the Board of Trustees. In the case of a deceased Member or other eligible payee, the Director may request full recoupment of any benefits paid for the period after the date of the Member’s or eligible payee’s death from the estate of such Member or eligible payee or from such other persons from whom the Director determines recovery to be appropriate.

5.4.08 – RETIREMENT AND DEATH BENEFIT APPEALS PROCESS

(A) A dispute occurs when a Member or Beneficiary disagrees with a determination made by the Director (or a person authorized by the Director) of the amount of any benefit or the resolution of any matter affecting a benefit under the Plan. An appeal may also be filed by an authorized representative of the Member or Beneficiary who is the Claimant. A Claimant may not submit an appeal with respect to a benefit under the Plan more than one (1) year after the date the individual has knowledge of all material facts that are the subject of the dispute.

(B) If the Claimant wants a review of a denied Claim, the Claimant may submit an appeal in writing to the Director in a manner acceptable to the Office of Administrative Hearings. The deadline for submitting any such appeal shall be sixty (60) days after the Claimant receives the written notification of the denial of the Claim by the Director as described above.

(C) Within sixty (60) days following the receipt of the notice of appeal, the hearings officer will give the Claimant either (i) a written notice of the decision, or (ii) if special circumstances require an extension of time for review, a notice of a sixty (60) day extension of the review period. In the latter case, the notice of the decision shall be delivered to the Claimant within 120 days after the application has been filed. The hearings officer’s review will take into account all comments, documents, records, and other information the Member or Beneficiary submits, without regard to whether that information was submitted or considered in the initial benefit determination.

(D) If the appeal is denied, the notification will:

1. explain the specific reasons and specific Charter provisions on which its decision is based,
2. include a statement regarding the Claimant’s rights to bring a civil action, and
3. offer to provide the Claimant, on request, free of charge, reasonable access to and copies of all documents, records and other information relevant to the Claim for benefits.

(E) The hearings officer has full and complete discretion to:

1. make findings of fact pertaining to a Claim or appeal,
2. interpret the Charter as applied to the facts, and
3. decide all aspects of the Claim or appeal.
The decision by the hearings officer shall be the final and conclusive administrative review proceeding under the FPDR. The Member or Beneficiary is required to pursue all administrative appeals under the Plan as a precondition to challenging the denial of the Claim in a lawsuit.

5.4.09 – DOMESTIC RELATIONS ORDERS

(A) In order to release information to any party other than the Member or Member’s attorney, a prior written authorization from the Member must be on file.

(B) Draft Domestic Relations Orders (DRO) should be reviewed within thirty (30) days of receipt unless there are circumstances beyond the control of FPDR which prevent the review being completed within thirty (30) days.

1. DROs must contain the following required information:
   (a) the name and last known mailing address of the Member and of the Alternate Payee;
   (b) identification of the plan name as the City of Portland, Oregon Fire and Police Disability, Retirement and Death Benefit Plan;
   (c) the applicable article: Article 3 (FPDR Two) or Article 5 (FPDR One) of the Plan;
   (d) the amount or percentage of the Member’s Accrued Benefit to be paid to the Alternate Payee, or the manner in which such amount or percentage is to be determined, as well as the benefit division date which may be a specific date in the past or some future date defined by the DRO;
   (e) if the Member is currently in pay status, the Alternate Payee’s benefit start date specified as the first of the month following the Director’s acceptance of the DRO; and
   (f) for a Member not yet in pay status, the Alternate Payee’s earliest benefit start date specified as the later of the first of the month following the Director’s acceptance of the DRO or the Member’s earliest retirement date, and the Alternate Payee’s latest benefit start date as the Member’s retirement date.

2. DROs must not:
   (a) require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan, or to provide an Alternate Payee benefit in the form of a Joint and Survivor Annuity; – which includes a reversion of the Alternate Payee’s interest to the Member, except as provided under 5.4.09(D);
(b) require the payment of benefits to an Alternate Payee that is required to be paid to another Alternate Payee under another order previously determined by the Director to be a DRO; or

(c) require the Plan to provide increased benefits (determined on the basis of Actuarial Equivalent value) to the Member and the Alternate Payee than would be paid to the Member and his or her Beneficiary absent the DRO, excepting in the case of the reversion of an Alternate Payee’s benefit to the Member when the Alternate Payee predeceases the Member, as provided by the Plan.

(3) The Director will accept DROs that are in conformance with the Charter and Administrative Rules.

(C) FPDR staff or the Fund’s actuaries determine the Alternate Payee’s benefit amount, or the reduction from the Member's current or future benefit in the event the Alternate Payee’s benefit amount is specified in the DRO, using the discount rate, Member and Alternate Payee mortality and cost of living increase assumptions used in the most recent actuarial valuation of the FPDR pension plan that has been presented to the FPDR Board of Trustees at the time the Director accepts the DRO.

Assumptions specific to the division of benefits calculation include:

(1) For a DRO where the Member is not of retirement eligible age as of the benefit division date, the Member’s benefit is valued based on the Actuarial Equivalent of projected future payments starting on the Member’s expected retirement date. The Alternate Payee may begin payments no earlier than the earliest retirement date, and no later than the date that the Member actually commences retirement benefits.

(2) For a DRO where the Member is of eligible retirement age as of the benefit division date but has not yet commenced retirement benefits, the Member’s benefit is valued based on the Actuarial Equivalent of projected future payments starting on the Member’s expected retirement date. The Alternate Payee may begin payments no earlier than the first of the month after the Director’s acceptance of the DRO, and no later than the date that the Member actually commences retirement benefits.

(3) For a DRO where the Member has already commenced benefits, the Member’s benefit is valued based on the Actuarial Equivalent of projected future payments starting on the first of the month after the Director’s acceptance of the DRO based on the life expectancy of the Member and Alternate Payee and the form of benefit elected by the Member at retirement.

(D) Reversion to the Member of benefits assigned to the Alternate Payee may occur where:

(1) In the case of a separate interest DRO that does not contain instructions to the contrary, the Alternate Payee dies prior to commencing retirement
benefits; the Member’s benefit shall then be determined and paid without regard to the DRO.

(2) For Members belonging to the Portland Fire Fighters Association, the Portland Police Association or the Portland Police Commanding Officers Association at the time of the Alternate Payee’s death, or who belonged to those Associations at their retirement or termination from FPDR membership: In the case of a separate interest DRO that does not contain instructions to the contrary, if the Alternate Payee dies after commencing retirement benefits and before the Member dies, the Member’s monthly benefit payable from the Fund will be increased by the amount of the monthly benefit the Alternate Payee was receiving at death, payable prospectively to the Member for the rest of the Member’s life. Upon Member’s subsequent death, any death benefit payable to the Member’s survivor(s) shall be based on the Member’s monthly benefit without taking into account the additional monthly benefit that was previously being paid to the Member as a result of the Alternate Payee’s death.

(3) In the case of a shared interest DRO, the Alternate Payee predeceases the Member; the amount that previously was being paid to the Alternate Payee shall then instead be paid to the Member for the rest of the Member’s life.

(E) In the event the Member predeceases the Alternate Payee:

If the Member dies before reaching the earliest retirement date, the Alternate Payee does not have a vested interest and cannot receive any retirement benefits. The Alternate Payee may still be eligible for death benefits if required by the DRO, in accordance with Section 5.5 (Death Benefits) of the Administrative Rules.

(1) In a separate interest DRO if the Member dies on or after reaching the earliest retirement date but has not yet commenced receiving retirement benefits, the Alternate Payee does have a vested interest and can elect to start receiving benefits.

(3) If the Member dies after having commenced receiving retirement benefits:

(a) In a separate interest DRO, the Alternate Payee continues to receive the benefit they were receiving; the Member’s death has no effect on the Alternate Payee’s benefits.

(b) In a shared interest DRO, the Alternate Payee’s retirement benefits cease at the Member’s death. The Alternate Payee may receive a portion of the death benefit determined by the Member’s election at retirement, if payable and the DRO treats the Alternate Payee as the Surviving Spouse, in accordance with Section 5.5 (Death Benefits) of the Administrative Rules.
The $300 administrative fee assessed will be the maximum amount permitted under, and be apportioned between the Member and Alternate Payee per Oregon Revised Statute 237.600 based on the fractions of the benefit received by the Member and Alternate Payee.

5.4.10 – **FINAL PAYMENTS**

Final payments of pension benefits are prorated as the days in the month up to and including the date of death divided by the total number of days in the month.

5.4.11 – **FPDR TWO TRANSFER FROM PERS**

Any FPDR Two Member who was appointed after July 1, 1990 but prior to January 1, 2007, immediately after leaving service as a police officer or fire fighter under the Public Employees Retirement System of the State of Oregon and received a payment of employee contributions from such system, including contributions picked up by the employer, could pay or authorize payment to the Fund the amount received within sixty (60) days after such appointment. A Member making such a payment received Years of Service credit for the service as a police officer or a fire fighter with such system to which the employee contributions related.

5.4.12 – **CALCULATION METHOD FOR FPDR TWO FINAL PAY**

(A) For retirements, deaths prior to retirement or terminations on or after January 1, 2013, Final Pay for an FPDR Two Member shall be calculated as the highest sum of Base Pay in three lookback periods including pay for 365 or 366 (in a leap year) days as described below.

(B) The sum of Base Pay in the most recent lookback period consists of the Base Pay paid during the most recent 26 pay dates prior to the calendar month in which the Member retires, dies or otherwise terminates employment with the Bureau of Fire or Police, plus 1/14th of the Base Pay paid on the most recent pay date preceding those 26 pay dates (2/14ths if there is a February 29 included in the dates from the most recent pay date back to the pay date preceding those 26 pay dates).

(C) The sum of Base Pay paid in the middle and oldest lookback periods consists of the Base Pay paid for the 365 or 366 days (if there is a February 29 in the period) preceding the oldest day used in the more recent lookback period.

5.4.13 – **FPDR TWO VESTED TERMINATION**

(A) Termination prior to January 1, 2013: An FPDR Two Member who has completed five Years of Service and whose employment with the Bureau of Fire or Police terminates prior to January 1, 2013 shall be eligible for an increase in his or her benefit on vested termination if the FPDR Two Member is employed after termination in service recognized by the Public Employees Retirement System of the State of Oregon for accrual of benefits or as a waiting period before such accrual begins. The benefit on vested termination shall be increased in the same proportion as any increases during the period of such service in the rate of Base Pay for the FPDR Two Member’s position in the Bureau of Fire or Police held at termination.
(B) Termination on or after January 1, 2013: An FPDR Two Member who has completed five Years of Service and whose employment with the Bureau of Fire or Police terminates on or after January 1, 2013 shall not be eligible for an increase in his or her benefit on vested termination based on subsequent employment.
We deliver peace of mind to our fire and police members and their survivors by providing disability and retirement benefits in a timely, compassionate and fiscally responsible manner.
What Happened This Year

- Arbitration Decisions
  - 27 Pay Dates (Ongoing)
  - Alternate Payee Reversionary Benefits (Final Resolution in July)

- *Miller et al.* settled in May for $2.7 million

- *Moro* decision fall-out: New PERS & FPDR 2 COLA methodologies; higher PERS rates in future

- Timeliness Study presented to the Board
Key Performance Measures

Percent of Workforce on Disability at June 30

- FY 11-12: 3.9%
- FY 12-13: 4.1%
- FY 13-14: 4.6%
- FY 14-15: 4.2%
- FY 15-16: 3.4%
Key Performance Measures

FPDR 2 Retirements & FPDR 3 Percent of Workforce

- **FY 11-12**: 74 FPDR 2 retirements, 35% FPDR 3
- **FY 12-13**: 45 FPDR 2 retirements, 30% FPDR 3
- **FY 13-14**: 26 FPDR 2 retirements, 25% FPDR 3
- **FY 14-15**: 40 FPDR 2 retirements, 20% FPDR 3
- **FY 15-16**: 57 FPDR 2 retirements, 15% FPDR 3

**Legend**: 
- **Orange Bar**: Number of FPDR 2 retirements
- **Red Line**: Percent of workforce FPDR 3
Key Performance Measures

FPDR Tax Levy: Real Market Value Rate

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Actual</th>
<th>Projected at 50th Percentile</th>
<th>Projected at 5th Percentile</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>$1.41</td>
<td>$1.55</td>
<td>$2.60</td>
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<tr>
<td>2012-13</td>
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<td>$1.63</td>
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<td>2013-14</td>
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<tr>
<td>2014-15</td>
<td>$1.30</td>
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<td></td>
</tr>
<tr>
<td>2015-16</td>
<td>$1.29</td>
<td>$1.63</td>
<td></td>
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<tr>
<td>2016-17</td>
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<td>2017-18</td>
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<tr>
<td>2019-20</td>
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<td>$1.63</td>
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</tr>
<tr>
<td>2020-21</td>
<td>$1.43</td>
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</tr>
<tr>
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<td>2023-24</td>
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<td>2024-25</td>
<td>$1.43</td>
<td>$1.63</td>
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<td>2025-26</td>
<td>$1.37</td>
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<tr>
<td>2026-27</td>
<td>$1.43</td>
<td>$1.63</td>
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</tr>
<tr>
<td>2027-28</td>
<td>$1.37</td>
<td>$1.63</td>
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<td>2029-30</td>
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<td>2030-31</td>
<td>$1.43</td>
<td>$1.63</td>
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<tr>
<td>2031-32</td>
<td>$1.37</td>
<td>$1.63</td>
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<tr>
<td>2032-33</td>
<td>$1.43</td>
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<td>2033-34</td>
<td>$1.37</td>
<td>$1.63</td>
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</tr>
</tbody>
</table>
Key Performance Measures

Administrative Costs as Percent of Total Budget

<table>
<thead>
<tr>
<th>FY 11-12</th>
<th>FY 12-13</th>
<th>FY 13-14</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.90%</td>
<td>1.80%</td>
<td>2.20%</td>
<td>1.57%</td>
<td>1.61%</td>
</tr>
</tbody>
</table>
Disability Program

Number of Claims Filed

<table>
<thead>
<tr>
<th>Year</th>
<th>Fire</th>
<th>Police</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>126</td>
<td>166</td>
<td>292</td>
</tr>
<tr>
<td>2012-13</td>
<td>144</td>
<td>169</td>
<td>313</td>
</tr>
<tr>
<td>2013-14</td>
<td>175</td>
<td>168</td>
<td>343</td>
</tr>
<tr>
<td>2014-15</td>
<td>167</td>
<td>193</td>
<td>360</td>
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<tr>
<td>2015-16</td>
<td>151</td>
<td>228</td>
<td>379</td>
</tr>
</tbody>
</table>
Disability Program

Approve / Deny Rates

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Denied</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-16</td>
<td>3%</td>
<td>93%</td>
</tr>
<tr>
<td>2014-15</td>
<td>7%</td>
<td>92%</td>
</tr>
<tr>
<td>2013-14</td>
<td>5%</td>
<td>93%</td>
</tr>
<tr>
<td>2012-13</td>
<td>4%</td>
<td>91%</td>
</tr>
<tr>
<td>2011-12</td>
<td>4%</td>
<td>91%</td>
</tr>
</tbody>
</table>

Remaining percentage represents claims that were incomplete or withdrawn by the member after filing.
Disability Program

Approved Fire Claims in Fiscal Year 2015-16

**Injury Cause**
- **In Lifting**: 40%
- **Over-Exertion**: 12%
- **In Pulling or Pushing**: 7%
- **Communicable Diseases-Exposure**: 6%
- **In Reaching/Hyperextension**: 5%
- **Others**: 5%

**Injury Location**
- **At Scene of Fire or Call**: 54%
- **Precinct/Station**: 30%
- **Training Site**: 13%
- **Multiple Locations**: 2%
- **In Vehicle (In Transit)**: 1%

**Body Part**
- **Back**: 38%
- **Abdomen**: 30%
- **Shoulder(s)**: 9%
- **Multiple Parts**: 9%
- **Knee**: 9%
- **Others**: 5%
Disability Program

Approved Police Claims in Fiscal Year 2015-16

**Injury Cause**
- Assault by Human/Altercation: 45%
- Motor Vehicle Accidents: 23%
- Communicable Diseases-Exposure: 9%
- Slip/Trip (No Fall): 8%
- In Lifting: 7%
- Others: 8%

**Body Part**
- Multiple Parts: 42%
- Knee: 23%
- Back: 12%
- Finger(s): 6%
- Shoulder(s): 7%
- Others: 10%

**Injury Location**
- At Scene of Fire or Call: 60%
- Training Site: 8%
- Precinct/Station: 8%
- Slip/Trip (No Fall): 8%
- In Lifting: 8%
- In Vehicle (In Transit): 8%
- None: 7%
- Others: 6%
Disability Program

Disability Costs by Fiscal Year ($ Millions)

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Time Loss</th>
<th>Medical</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2011-12</td>
<td>$4.48</td>
<td>$2.21</td>
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<tr>
<td>FY 2012-13</td>
<td>$3.87</td>
<td>$2.52</td>
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<tr>
<td>FY 2013-14</td>
<td>$4.16</td>
<td>$2.98</td>
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<tr>
<td>FY 2014-15</td>
<td>$3.90</td>
<td>$2.13</td>
</tr>
<tr>
<td>FY 2015-16</td>
<td>$4.04</td>
<td>$2.22</td>
</tr>
</tbody>
</table>
Disability Program

Time Loss Components by Fiscal Year

- **Biweekly**
- **Return to Work**
- **Monthly Members**
Disability Program

Medical Savings

- Medical Savings for FY 2016
  - Total Billed: $3,563,725
  - Total Paid: $2,063,002
  - Savings: $1.5M, 42% of billed overall

- Savings Breakdown
  - 34%, $1.2M
    Utilization of the Oregon fee schedule
  - 3.3%, $118,311
    Additional fee schedule reduction allowed on MHN medical providers billings
  - 4.7%, $170,649
    Our in-house bill payer’s ability to negotiate savings for treatment with an out of state non-MCO provider
Disability Program

Days to Claim Decision by Fiscal Year

- **FY 11-12**: 1-30 days (60%), 31-60 days (40%)
- **FY 12-13**: 1-30 days (55%), 31-60 days (45%)
- **FY 13-14**: 1-30 days (50%), 31-60 days (50%)
- **FY 14-15**: 1-30 days (45%), 31-60 days (55%)
- **FY 15-16**: 1-30 days (40%), 31-60 days (60%)

- **1-30 days**
- **31-60 days**
- **61-90 days**
- **Over 90 days**
Disability Program

Other Services

- Loss Prevention/Reduction
  - Financial support and data collaboration with Portland Fire and Rescue’s Stability & Mobility program aimed at injury prevention and reduction

- Retiree Post-Retirement Benefits
  - Created and implemented an application for benefit form/process for members who are eligible for post-retirement medical benefits

- Medical Management
  - Approved and supported members through 45 surgeries from simple outpatient procedures to those complex in nature requiring specialty physicians
Pension Counts* as of June 30 Each Year

<table>
<thead>
<tr>
<th>Year</th>
<th>FPDR 1</th>
<th>FPDR 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>65%</td>
<td>35%</td>
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<tr>
<td>2013</td>
<td>66%</td>
<td>34%</td>
</tr>
<tr>
<td>2014</td>
<td>68%</td>
<td>32%</td>
</tr>
<tr>
<td>2015</td>
<td>71%</td>
<td>29%</td>
</tr>
<tr>
<td>2016</td>
<td>73%</td>
<td>27%</td>
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</table>

*Member and Survivors
Pension Program

Active Members as of June 30 Each Fiscal Year

<table>
<thead>
<tr>
<th>Year</th>
<th>FPDR 2</th>
<th>FPDR 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>1,616</td>
<td>22%</td>
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<tr>
<td>2012-13</td>
<td>1,594</td>
<td>24%</td>
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<tr>
<td>2013-14</td>
<td>1,561</td>
<td>25%</td>
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<tr>
<td>2014-15</td>
<td>1,546</td>
<td>27%</td>
</tr>
<tr>
<td>2015-16</td>
<td>1,519</td>
<td>31%</td>
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OPSRP Contributions are Paid on FPDR 3 Member Wages
Pension Program

Pension Costs by Fiscal Year ($ Millions)

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Millions</th>
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<tbody>
<tr>
<td>2011-12</td>
<td>$94.71</td>
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<tr>
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<td>$99.42</td>
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<td>2014-15</td>
<td>$107.07</td>
</tr>
<tr>
<td>2015-16</td>
<td>$115.77</td>
</tr>
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</table>

- Pension Benefits (FPDR 1 & 2)
- OPSRP Contributions (FPDR 3)
Pension Program

Number of Pension Estimates

- FPDR prepared 77% more pension estimates this year
- Workshop attendance increased 132%
Why the Increase in Demand?
- 27 Pay Date Interest
- Liaison outreach
- FPDR outreach
- Impending retirement wave

The Good

Readiness: Up from 50% to 71% (percent of members at or near retirement eligibility with recent estimates)

Timeliness: Up from 73% to 82%, despite growth (percent of members who receive pension estimates within one week)

Accuracy: remains 100% (Actual benefit at least 99% of estimated benefit)

The Bad

Struggled to fit everyone into workshops
Pension Program

Other Highlights

- Published and distributed new Plan Summary document
- Began providing illustrative 27 pay date estimates for PPA members
- Focus on retirement readiness
  - Ensure members at or near retirement receive updated estimates
  - Redesigned retirement information:
    - Highlight survivor benefit options
    - Show percent of pay replaced by benefit
- Implemented new FPDR 2 COLA Methodology
Technology

- **Active Participant web portal**
  - Phase 1 on City devices in use
  - View personal data and claim status
  - Add or modify contact information and family members
  - Upload documentation
  - Use Contact form on a variety of subjects

- **Enhanced Active & Retiree Participant web portal**
  - Phase 2 on all devices
  - Security requires a POG (PortlandOregon.gov) account
  - Communication going out soon
Survey Results

Sent separate surveys to active members and retirees.

<table>
<thead>
<tr>
<th></th>
<th>Active Members (Online survey)</th>
<th>Retirees (Paper survey with online option)</th>
<th>2014 Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sent</td>
<td>1364</td>
<td>1921</td>
<td>3085</td>
</tr>
<tr>
<td>Responses (%)</td>
<td>202</td>
<td>160</td>
<td>317</td>
</tr>
<tr>
<td>(%)</td>
<td>14.8%</td>
<td>8.3%</td>
<td>10.3%</td>
</tr>
</tbody>
</table>
# 2016 Survey Results

## Member Satisfaction

<table>
<thead>
<tr>
<th>Active Members</th>
<th>Retirees</th>
<th>2014 Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>68%</td>
<td>91%</td>
<td>74%</td>
</tr>
<tr>
<td>Above average or Excellent on 5-point scale</td>
<td>Above average or Excellent on 5-point scale</td>
<td>Excellent on 3-point scale</td>
</tr>
</tbody>
</table>
Over 50 respondents provided comments; many expressed dissatisfaction with FPDR’s service.

Comments focused on:

- **Claims**
  - Claim investigations too onerous and take too long
  - Denying too many/all claims

- **Pensions**
  - Not providing 27 pay period pension estimates

- **Not looking out for the members**

- **Lot of input and feedback on our website**
Survey responses submitted by mail: 129 (80%)

20 respondents provided comments regarding FPDR’s service

- 15 said they do not have access to internet
- Half the comments were positive
- Two said FPDR was not looking out for retirees
- Others covered various topics
Service Enhancements

- Member Portal Now Available for Active Members
  - Retiree portal coming soon

- Improved and streamlined the application process for post retirement medical benefits

- Published and distributed new Plan Summary document

- Increased focus on retirement readiness
  - Ensure members at or near retirement receive updated estimates
  - Redesigned retirement information on estimate form
Excellent Service

- Personally visited 14 surviving spouses after their husbands died
  - Attended Retired Police & Widows Association meeting

- Supported members through 45 surgeries

- Pension estimate requests were up 77%; 82% processed within one week versus 73% last year; retained 100% accuracy

- Worked closely with members and City Payroll to create easy and fair repayment plans for interim benefits overpayment
Excellent Service

- Retired multiple members on just a few hours notice
- Sent liaisons out to conduct welfare checks when members and surviving spouses were unreachable
- For those who can’t attend a retirement workshop:
  - Provided one-on-one retirement education appointments
  - Posted workshop presentations to our web site for on-demand viewing
Labor Comments
Questions
As the World Turns....

So Does FPDR

Presentation to
the FPDR Board of Trustees

September 27, 2016
Disclaimer

*Opinions expressed in this presentation are solely my own and do not express the views or opinions of FPDR, FPDR staff, FPDR Board of Trustees or the City of Portland.*

Sam Hutchison  
Director  
FPDR  

September 27, 2016
TAXES
Tax Reform

Income tax

Property tax

Sales tax
Resolution to send an Oregon Constitutional amendment to voters to modify Measure 50 (1977) to require property taxes to be assessed on real market value of property.
Impact of SJR 201 on FPDR

1. Would have imposed a permanent fixed rate equal to a tax entity’s 2016 tax rates. This means FPDR tax rate would have been permanently frozen at 1.30%. This rate is much less than our $2.80 limit. Essentially, it would have cut the maximum FPDR rate in half.

2. The increased tax base could be more than offset by an allowable homestead exemption.

3. Would have struck out the section of the Constitution that considers FPDR a separate tax entity from the City of Portland. Eliminating that explicit provision could have negative impacts for FPDR and the City.
Legislature

SJR 201 was put on the table in 2016 to test the waters for property tax reform. It was not expected to pass.

City of Portland Government Relations says there is no interest in revisiting the resolution in the 2017 legislative session.
PENSION REFORM
It is still happening across the country
Oregon

Due to the Moro decision and lower than expected investment returns, employer PERS contributions for non-school entities will increase 30-35%.

This will impact FPDR Three PERS contributions.
FPDR is 99.2% “Unfunded”

$3.0\text{ Billion}$
Others are looking

IRS
GASB
FASB
US Dept. of Labor (ERISA)
Employee Benefits Security Administration
US Dept. of Treasury
ASB
Pension Benefit Guaranty Corp
Moody’s
Pew Research Center
US Senate Finance Committee
WORKERS COMP
Trends / Issues

- State opt out options
- Consolidation
  - Private sector insurers
  - TPAs
  - Vendors
- Cost of specialty drugs
- Opioid use
- Marijuana
  - Medical – Recreational
- ACA
- Medicare Set Asides
Other

Affordable Care Act

Aging Workforce
THE CHANGING LOOK OF FPDR
2016

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Retirees</td>
<td>1,814</td>
</tr>
<tr>
<td>No. of active FPDR Two members</td>
<td>1,055</td>
</tr>
<tr>
<td>No. of active FPDR Three members</td>
<td>464</td>
</tr>
</tbody>
</table>
2024

No. of active FPDR Two members 675
No. of active FPDR Three members 925

* Active FPDR Three members will hold many officer and management positions in the Police and Fire Bureaus and in their unions. They may hold one or both of the elected FPDR Board of Trustees positions.
2034

No. of FPDR One & Two Retirees 1,900

No. of active FPDR Two members 150
No. of active FPDR Three members 1,450

* Active FPDR Three members will hold all officer and management positions in their unions and in the Police and Fire Bureaus. They will hold both of the elected FPDR Board of Trustees positions.

* Total annual pension payments will start decreasing.
Why is all this important?

Taxes

Pension Reform

Workers Comp

Changing Look of FPDR

Other
## FPDR Strategic Plan
(2015 – 2018)
*Status as of September 6, 2016*

<table>
<thead>
<tr>
<th>THEME: Disability Program Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FOCUS AREA</strong></td>
</tr>
</tbody>
</table>
| Loss Prevention | Reduce on-the-job injuries of firefighters and police officers | ▪ Identify injury causes for the Fire and Police bureaus  
  - *FPDR has identified the top 3 injuries to firefighters and police officers. Data is being gathered on cause of those injuries and will be given to each bureau to promote discussion on the impact of loss from injury/illness on the members personally and the impact on staffing and public service.*  
  - Work with the Fire and Police bureaus to create injury reduction programs  
    - *The Board approved the collaborative efforts of FPDR and PF&R to prevent injury by funding the PF&R stability and mobility program. The program has been underway since May.* |
| Return to Work | Rapidly return injured firefighters and police officers to work at their prior position; assist those who cannot return to active duty in finding other work | ▪ Work with the Fire and Police bureaus to expand the transitional duty program  
  - *Police Bureau’s Chief Marshman increased the number of Operational Support Unit transitional duty positions for employees recovering from injuries or illnesses from 10 to 20 positions. This increase affords more TD positions to members who suffer work injuries. This will aid in quicker recovery for the member and aid in reducing the workload of street officers by providing support.*  
  ▪ Facilitate the members return to their job at injury at the earliest opportunity following an injury through medical management.  
  ▪ Evaluate and update vocational rehab, job search skills training and return-to-work efforts for members who are unable to return to their job at injury  
    - *FPDR has hired a vocational consultant to work with members who have had challenges with their job search efforts.*
<table>
<thead>
<tr>
<th>FOCUS AREA</th>
<th>GOAL</th>
<th>OBJECTIVES</th>
</tr>
</thead>
</table>
| Workforce Development  | Assure that each employee is effective at his or her job and is supported in preparing for promotional opportunities within FPDR | ▪ Complete necessary skills review for each position  
  – Completed for all nonrepresented staff  
▪ Perform gap analysis for each employee and develop training plan to close any identified skills gap  
▪ Identify promotion opportunities; encourage, prepare and develop staff for those opportunities; discuss promotional opportunities with each employee at least annually and, where possible, provide training, reassign duties and/or cross train to prepare for promotional opportunities  
▪ Review and further define the liaisons’ roles, responsibilities and education needs to insure the liaisons are optimally utilized  
  – Liaison “Scope and Role” document created; “Duties and Responsibilities” document updated; Inter Agency Agreements PF&R and PPB updated to include new documents |
| Equity in Hiring and Retention | Increase awareness of and inspire diversity development | ▪ Integrate diversity development training or activity into performance evaluations  
  – Performance Evaluation form currently being examined to include participation in equity activities and other events  
▪ Encourage staff participation in cultural diversity events, activities and training  
  – The staff has been participating in numerous events including: FPDR Equity Committee meetings, bi-annual staff diversity training, FPDR Equity Book Club, monthly diversity presentations in staff meetings, City sponsored equity and diversity events, North West Diversity Conference and Black Public Administrators National Conference. |
<table>
<thead>
<tr>
<th>Staff Turnover</th>
<th>Lessen the impact of upcoming staff turnover on bureau operations and customer service</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>▪ Determine core knowledge required for bureau operations; work to transfer/document knowledge of experienced staff</td>
</tr>
<tr>
<td></td>
<td>- Core knowledge and essential functions for most positions documented</td>
</tr>
<tr>
<td></td>
<td>- Formal transition/training plan and a “double fill” period allowed for smooth transition following Financial Manager’s retirement</td>
</tr>
<tr>
<td></td>
<td>▪ For each essential function, train at least one employee to serve as backup; document each essential function in sufficient detail to allow a new or backup employee to effectively perform the function; practice backup roles at least annually</td>
</tr>
<tr>
<td></td>
<td>- Backups for most positions identified, trained and are regularly performing back up duties</td>
</tr>
<tr>
<td></td>
<td>- Currently hiring a new employee to address most critical gap in backup roles, for the business systems analyst</td>
</tr>
<tr>
<td>FOCUS AREA</td>
<td>GOAL</td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Education and Outreach    | Provide FPDR members with important information about their benefits and retirement | ▪ Develop separate tools and educational materials for members at different stages of retirement planning.  
  – Redesigned pension estimates to show percent of pay replaced by pension (more useful than dollar amount for younger workers)  
  – Began discussions with City Benefits office on combined workshops targeted at FPDR Three members  
▪ Update, publish and distribute materials on how to file a disability claim and the disability claim process  
▪ Increase member outreach  
  – Began contacting members at or near retirement eligibility without a recent pension estimate; increased the percentage with up-to-date estimates  
▪ Publish and maintain Plan Summary document  
  – Published and distributed in February |
| Provide FPDR Members with online self-service and education tools | ▪ Create an FPDR self-service menu for active members and retirees  
  – Self-service menu is included in the Member Portal (See “Technology Investment”)  
▪ Create opportunities for member self-education on website  
  – Added “plain language” Plan Summary Document to website; other materials will be researched this year |
### THEME: Technology Investment

<table>
<thead>
<tr>
<th>FOCUS AREA</th>
<th>GOAL</th>
<th>OBJECTIVES</th>
</tr>
</thead>
</table>
| Member Portal       | Create portal to FPDR self-service menu for our active members, retirees and Managed Care Organizations | - Develop a self-service portal for active FPDR members  
  - Portal for active members using City devises (Beta version) is in use  
  - Develop a self-service portal for retired FPDR members  
  - Portal for use by all members using personal devises is in process with target date Fall 2016  
  - Explore a self-service portal for Managed Care Organizations  
  - Reviewing options and requirements  |
| File and Document Management | Move FPDR from a paper centric office to an electronic document centric office | - Train staff on retention schedule and HP Records Manager (formerly TRIM); monitor compliance  
  - FPDR-specific retention schedule finalized and implemented; all staff trained; all documents moved into proper retention folders; began new processes for electronic archiving in City TRIM system  
  - Advocate with BTS for Document Management system  |
| Continuity of Operations | Insure electronic data can be recovered quickly in a disaster or event. | - Explore using Hot Site, Cloud services, Payment services  |

### THEME: Board Development

<table>
<thead>
<tr>
<th>FOCUS AREA</th>
<th>GOAL</th>
<th>OBJECTIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diversity</td>
<td>Increase Board diversity</td>
<td>- Director will work with the Office of the Mayor to identify a diverse pool of candidates for future appointed trustee positions</td>
</tr>
</tbody>
</table>
| Education  | Create an education program for new and experienced trustees | - Develop onboarding and training plan for new trustees  
  - Board of Trustees Handbook drafted and awaiting approval by Board  
  - Training plan will be developed by January 2017  
  - Develop a continuing education program for experienced trustees  |
<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Current Bud.</th>
<th>Jul Actuats</th>
<th>Aug Actuats</th>
<th>Sep Actuats</th>
<th>YTD Actuats</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net Total</strong></td>
<td>0</td>
<td>0</td>
<td>-27,953,277</td>
<td>9,600,420</td>
<td>18,942,681</td>
<td>589,824</td>
</tr>
<tr>
<td><strong>Revenues</strong></td>
<td>-177,234,312</td>
<td>-177,234,312</td>
<td>-26,272,026</td>
<td>-418,945</td>
<td>-387,172</td>
<td>-29,076,145</td>
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<tr>
<td>Bond and note proceeds</td>
<td>-34,420,000</td>
<td>-34,420,000</td>
<td>-25,463</td>
<td>-60,242</td>
<td>-50,732</td>
<td>-85,505</td>
</tr>
<tr>
<td>Interfund Cash Transfer Revenues</td>
<td>-750,000</td>
<td>-750,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Interagency Revenues</td>
<td>-905,200</td>
<td>-905,200</td>
<td>-600</td>
<td>-600</td>
<td>-600</td>
<td>1,800</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>177,234,312</td>
<td>177,234,312</td>
<td>318,746</td>
<td>10,019,365</td>
<td>19,329,853</td>
<td>29,667,967</td>
</tr>
<tr>
<td>Beginning fund balance</td>
<td>-12,588,094</td>
<td>-12,588,094</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Taxes</td>
<td>-128,071,818</td>
<td>-128,071,818</td>
<td>832,161</td>
<td>5,307</td>
<td>1,335,849</td>
<td>18,908</td>
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<tr>
<td>Bond and note proceeds</td>
<td>-46,000</td>
<td>-46,000</td>
<td>-600</td>
<td>-600</td>
<td>-600</td>
<td>1,800</td>
</tr>
<tr>
<td>Miscellaneous Sources</td>
<td>-443,200</td>
<td>-443,200</td>
<td>-25,463</td>
<td>-60,242</td>
<td>-50,732</td>
<td>-85,505</td>
</tr>
<tr>
<td><strong>Net Total</strong></td>
<td>0</td>
<td>0</td>
<td>-27,953,277</td>
<td>9,600,420</td>
<td>18,942,681</td>
<td>589,824</td>
</tr>
</tbody>
</table>

### Departmental Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Current Bud.</th>
<th>Jul Actuats</th>
<th>Aug Actuats</th>
<th>Sep Actuats</th>
<th>YTD Actuats</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>177,234,312</td>
<td>177,234,312</td>
<td>318,746</td>
<td>10,019,365</td>
<td>19,329,853</td>
<td>29,667,967</td>
</tr>
<tr>
<td><strong>Fund Level Expenses</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Capital Outlay</strong></td>
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<td>0</td>
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<tr>
<td><strong>Fund Level Expenses</strong></td>
<td>43,470,812</td>
<td>43,470,812</td>
<td>4,624</td>
<td>14,790</td>
<td>7,396</td>
<td>26,810</td>
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<tr>
<td><strong>Contingency</strong></td>
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<td>7,668,111</td>
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</tr>
</tbody>
</table>

### Interfund Cash Transfer Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Current Bud.</th>
<th>Jul Actuats</th>
<th>Aug Actuats</th>
<th>Sep Actuats</th>
<th>YTD Actuats</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Fund Level Expenses</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Capital Outlay</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Fund Level Expenses</strong></td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Contingency</strong></td>
<td>0</td>
<td>0</td>
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