

**MINUTES OF THE SPECIAL BOARD MEETING OF THE
TAMPA FIRE & POLICE PENSION FUND**

Livestream: <https://attendee.gotowebinar.com/register/72779676684163357712> Webinar ID:109-831-499

Audio Only: (877) 309-2071 Access Code: 739-133-049

March 29, 2021 10:00 a.m.

The Board of Trustees of the City Pension Fund for Firefighters and Police Officers in the City of Tampa met remotely on Monday, March 29, 2021 at 10:00 a.m. for the purpose of formal hearing continuance proceedings for line-of-duty disability applicant Ryan Floyd, formerly of TFR, with the following members present:

Douglas Burkett, Chairman
Matthew Belmonte
John Cannon
Trevor Hall
Patrick Messmer

Gregory Reed
Dennis Rogero
Gregory Spearman
Ocea Wynn

Also present were Dr. Bruce Bohnker, Medical Director; Mr. and Mrs. Ryan Floyd; Mr. Jason Fox, legal counsel for applicant; Mr. Michael Srebnick, legal advocate for board; and Mr. Stuart Kaufman, board counsel.

It was noted that there were no objections from Mr. Floyd or his attorney with allowing Mr. Rogero to participate in the continuance proceedings despite his being absent from the initial hearing on December 9, 2020.

Mr. Srebnick began the proceedings by stating that he has no witnesses to call. He continued by reminding the participants of specific medical records of Mr. Floyd regarding panic attacks and various notes concerning stress that he stated he was under while employed. Mr. Srebnick then cited several pages of Dr. Wagoner's deposition concerning Mr. Floyd's medical history and diagnosis of PTSD. Board Trustees then posed questions about medical records not initially disclosed by Mr. Floyd during his pre-employment period, as well as noted prescriptions. Mr. Fox issued a brief rebuttal to clarify that the medication in question was prescribed to Mr. Floyd following his date of hire. Mr. Floyd was then sworn in and reiterated that the prescription was post-hire and after the direct incident that he claims led to his PTSD. Additional questions were then posed regarding other medications in the record. Mr. Floyd responded that some were for high blood pressure and an ankle injury he sustained. None were for anything psychological.

Dr. Bohnker was next sworn in. Trustees asked if Mr. Floyd's symptoms could be related to a hernia and the stomach issues that he experienced. Dr. Bohnker opined that it was possible but not likely. He was then asked if one of the medications in Mr. Floyd's record was commonly used as a muscle relaxant. Dr. Bohnker answered that it was not prevalently used for that purpose. Mr. Fox asked what order of medications Dr. Bohnker would consider for psychiatric treatment of an individual. Dr. Bohnker responded with an ordered list of three prominent medications. His testimony concluded with the question of if he recalled any apprehension with any of the medications that appeared on Mr. Floyd's pre-employment records. He answered that he did not.

[Brief recess from 10:52 a.m. to 11:06 a.m.]


Mr. Fox opened closing statements by pointing out that medical professionals had linked Mr. Floyd's PTSD diagnosis to incidents occurring while employed by TFR, one in particular. He alluded to the qualifying letters and IME reports on file as supporting evidence and stated that other causes of the PTSD are mere assumptions. Mr. Fox then shared his computer screen to point out multiple notes and examples on Mr. Floyd's pre-employment and medical records. He concluded by referencing the officer shooting incident that he opined is directly responsible for Mr. Floyd's PTSD.

Mr. Srebnick began his closing statements by explaining that Mr. Floyd's medical history did not contain the full picture of his background and that this brings medical opinions into question. He states there were multiple stresses in Mr. Floyd's personal life and that Dr. Wagoner's opinion in this regard is paramount. Mr. Fox rebutted that the basis was all work-related and that one sentence of a temporary issue shouldn't outweigh two thousand pages of records to the contrary. **It was moved by Mr. Messmer and seconded by Mr. Belmonte to find in favor of a line of duty disability for former Tampa Fire Rescue firefighter Ryan Floyd with Mr. Burkett, Mr. Cannon, Mr. Hall, and Mr. Rogero in favor of the motion and Mr. Reed, Mr. Spearman, and Ms. Wynn against the motion (motion passes by a count of six to three).**

It was moved by Mr. Messmer and seconded by Mr. Belmonte to find in favor of the line of duty disability for former Tampa Fire Rescue firefighter Ryan Floyd effective with his notice of separation date with Mr. Burkett, Mr. Cannon, Mr. Hall, and Mr. Rogero in favor of the motion and Mr. Reed, Mr. Spearman, and Ms. Wynn against the motion (motion passes by a count of six to three).

Mr. Kaufman agreed to draft the LODD final order.

The meeting adjourned at 12:02 p.m.

DocuSigned by:

B641A59E30694F5...
Douglas Burkett, Chairman

DocuSigned by:

27A4C600467C4C2...
Ocea Wynn, Secretary

DocuSigned by:

208027A00BA3419...
Adam Hollen, Recording Secretary

Notice

No verbatim record by a certified court reporter will be made of this Board meeting, except as noticed for any executive sessions. Any person who desires to appeal any decision of the Board of Trustees with respect to any matter considered at this Board meeting will be responsible for providing a record of the proceedings and for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is based.

Persons needing a special accommodation to participate in any noticed meeting should contact the F&P pension office at (813) 274-8550 or (888) 335-8550 – toll free, or the Florida Relay Service at (800) 955-8770 – toll free, or dial 711 from any phone (regular phone/land line or cell phone) for the Florida Relay Service. Please make your request at least five (5) working days before the scheduled meeting date.