

**RULE AND PROCEDURE NO. 1**  
**to the**  
**RULES AND PROCEDURES**  
**of the**  
**CITY OF COCOA FIREFIGHTERS' RETIREMENT PLAN**

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**WHEREAS**, Section 2-282(a) of Article VIII of Chapter 2, Part II, of the City of Code of the City of Cocoa, Florida, provides that it is the duty and responsibility of the Board of Trustees of the City of Cocoa Firefighters' Retirement Plan (Retirement Plan) to construe the provisions of the system and determine all questions arising thereunder;

**WHEREAS**, Section 2-282(b) of Article VIII of Chapter 2, Part II, of the City of Code of the City of Cocoa, Florida, provides that it is the duty and responsibility of the Board of Trustees to determine all questions relating to eligibility and participation in the Retirement Plan;

**WHEREAS**, Section 2-282(d) of Article VIII of Chapter 2, Part II, of the City of Code of the City of Cocoa, Florida, provides that it is the duty and responsibility of the Board of Trustees to establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matter required to administer the Retirement Plan; and

**WHEREAS**, the Board of Trustees of the Retirement Plan wishes to establish a uniform schedule for the completion and submission of applications for disability benefits from the Retirement Plan;

**IT IS THEREFORE** decreed by the Board of Trustees that the following procedure shall be adhered to in the completion and submission of any application for disability benefits from the Retirement Plan:

1. All participants in the Retirement Plan who believe that they are eligible to receive disability benefits in accordance with the provisions of the Retirement Plan shall be provided, upon request, an Application for Disability Retirement and a Questionnaire for Application for Disability Retirement.
2. A participant in the Retirement Plan shall have sixty (60) days from the date of receipt of the Application for Disability Retirement and the Questionnaire for Application for Disability Retirement in which to return to the Board of Trustees, through its third party administrative manager, the completed Application for Disability Retirement and the completed Questionnaire for Application for Disability Retirement along with any other required documents, e.g. medical records or certification of request for a reasonable accommodation.
3. Upon receipt of the completed Application for Disability Retirement and the completed Questionnaire for Application for Disability Retirement, the third party administrative manager shall review the completed documents and other documents provided therewith in order to determine whether the participant has submitted all information required in order for the Board of Trustees to consider the application for disability benefits.

4. In the event that the Application for Disability Retirement and/or the Questionnaire for Application for Disability Retirement are found to be incomplete, or in the event that the participant fails to include any required additional documentation, the third party administrative manager shall inform the participant in writing of any such deficiency and request that the participant supplement the Application for Disability Retirement and/or the Questionnaire for Application for Disability Retirement within sixty (60) days of receipt of the correspondence noting a deficiency. Such correspondence shall be sent certified mail, with a return receipt requested, via the United States Postal Service.
5. Any Application for Disability Retirement or Questionnaire for Application for Disability Retirement which is not completed and submitted for consideration by the Board of Trustees in accordance with the provisions herein shall be determined to be incomplete and will be rejected by the Board of Trustees. Notice of such rejection shall be provided in writing in accordance with the terms and provision of the Retirement Plan. Such rejection may be appealed in accordance with the terms and provisions of the Retirement Plan.

**IN WITNESS WHEREOF**, the Board of Trustees of the City of Cocoa Firefighters' Retirement Plan have adopted and caused this Rule and Procedure No. 1 to be executed this 7<sup>th</sup> day of June, 2010, to be effective upon adoption.

M. Morris Park

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Witness: [Signature]