
JACKSONVILLE POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – MARCH 13, 2019 – 9:00AM

PRESENT

James Holderfield, Chair
Lt. Michael Shell, Vice Chair
Thomas Lumpkin
Eng. Jean Paravisini
Michael Pelletier
Asst. Chief Richard Reichard

GUESTS

Michael Lynch, Trustee

STAFF

Steve Lundy, Assistant Plan Administrator
Lawsikia Hodges, Office of General Counsel
Bob Sugarman, Fund Counsel – via Webex

EXCUSED

Timothy H. Johnson, Executive Director – Plan Administrator
Chuck Hayes, Pension Benefits Manager
Lt. Christopher Stover

Meeting Convened: 9:00AM

Meeting Adjourned: 9:38AM

NOTICE: Pursuant to the American with Disabilities Act, accommodations for persons with disabilities are available upon request. Please allow 1-2 business days notification to process; last minute requests will be accepted, but may not be possible to fulfill. Please contact Disabled Services Division at: V(904) 630-4940, TTY-(904) 630-4933, or email your request to KLMcDan@coj.net. If any person decides to appeal any decision made with respect to any matter considered at this public meeting such person will need a record of proceedings, and for such purpose such person may need to ensure that a verbatim record of the proceedings is made at their own expense and that such record includes the testimony and evidence on which the appeal is based. The public meeting may be continued to a date, time, and place to be specified on the record at the meeting. Additional items may be added / changed prior to meeting.

I. MOMENT OF SILENCE

John M. Blue, Retired Police Officer
Leroy E. Munro, Retired Police Lieutenant
Vernon A. Richardson, Active Police Officer
Robert L. Thurmond, Retired Police Sergeant

II. PUBLIC SPEAKING PERIOD

None.

III. CONSENT AGENDA (ITEMS 1-8)

Motion to approve: REICHARD; Second: SHELL; APPROVED UNANIMOUSLY.

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The benefits listed below have been reviewed and approved by the Pension Benefits Manager.

1. **MEETING SUMMARY TO BE APPROVED**

1. **Summary of the Meeting held February 13, 2019.**
Copy held in the meeting file.

2. **APPLICATION FOR TIME SERVICE RETIREMENT**

1. **GRIMES, Stephanie D.** Police Officer
Monthly pension base \$3,480.75
Retirement Date 02/08/2019

3. **APPLICATION FOR SURVIVOR BENEFITS**

1. **RICHARDSON, Lana L.** *Widow of Vernon A. Richardson (d. 02/19/2019)*
Monthly gross pension \$2,700.65

4. **APPLICATION FOR DROP**

1. **POLICE:**

ADAMS, Katherine C. Police Sergeant
ADAMS Jr., Robert D. Police Sergeant
WALTERS, James W. Police Sergeant

2. **FIRE:**

GINTHER, Paul D. Fire Captain
HAMILTON, Kevin D. Fire Lieutenant
MIDDLETON, Kenneth D. Firefighter Engineer

5. **APPLICATION FOR TIME SERVICE CONNECTIONS**

1. **BOSTON, Javacia L.** Police Officer
COJ Service (4 years, 3 mos., 12 days) \$21,546.78
2. **DORCELIEN, Stanley** Police Officer
COJ Service (2 years, 1 mos., 20 days) \$9,183.51
NOTE: Time Service Credit for Prior Bailiff Service
3. **FLORES, Dante T.** Police Officer
COJ Service (7 days) \$88.69
NOTE: Time Service Credit for Prior Bailiff Service
4. **HORRALL, Mark L.** Firefighter Engineer
COJ Service (3 mos., 5 days) \$9,039.94

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NOTE: Repayment of Temporary Disability

5. **MOLINA, Douglas W.** Police Sergeant
COJ Service (7 mos., 14 days) \$3,658.69
NOTE: Time Service Credit for Prior Bailiff Service

6. **TAPLEY, Joshua T.** Police Officer
COJ Service (2 years, 2 mos., 12 days) \$8,010.84
NOTE: Time Service Credit for Prior Bailiff Service

6. **SHARE PLAN DISTRIBUTIONS**

To be received as information

1. **RICHARDSON, Vernon A. (Estate)** Police Officer
Share Plan Distribution \$3,167.76

7. **DROP PARTICIPANT TERMINATION OF EMPLOYMENT**

To be received as information

1. **NICOLETTO, Joseph L.** Police Officer
Monthly Pension Base \$3,342.63
DROP Participation 04/09/2016 – 02/22/2019
2. **PROPPER, Leonard R.** Police Sergeant
Monthly Pension Base \$6,613.67
DROP Participation 04/12/2014 – 02/08/2019
3. **STAFFORD Jr., Timothy E.** Police Officer
Monthly Pension Base \$3,541.87
DROP Participation 07/05/2014 – 02/22/2019
4. **STANG, Jerry C.** Police Lieutenant
Monthly Pension Base \$4,544.28
DROP Participation 04/12/2014 – 02/08/2019
5. **STRICKLAND, Stephen C.** Police Officer Pilot
Monthly Pension Base \$3,337.24
DROP Participation 01/03/2015 – 02/08/2019
6. **VILLABROZA, Glenn G.** Police Officer
Monthly Pension Base \$3,397.47
DROP Participation 10/08/2016 – 02/08/2019
7. **WEBER, Richard L.** Police Officer Pilot
Monthly Pension Base \$3,260.04

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DROP Participation 01/03/2015 – 02/08/2019

8. DROP DISTRIBUTIONS

To be received as information

- | | |
|------------------------------------|--------------|
| 1. NICOLETTO, Joseph L. | |
| Entire value paid over 15 years | \$134,377.78 |
| 2. PROPPER, Leonard R. | |
| Entire value paid over 44.6 years | \$499,400.85 |
| 3. STAFFORD Jr., Timothy E. | |
| Entire value paid over 48.8 years | \$255,775.13 |
| 4. STANG, Jerry C. | |
| Entire value paid over 47.5 years | \$343,141.09 |
| 5. STRICKLAND, Stephen C. | |
| Entire value paid over 35 years | \$203,793.06 |
| 6. VILLABROZA, Glenn G. | |
| Entire value paid over 50.5 years | \$109,359.75 |
| 7. WEBER, Richard L. | |
| Entire value paid over 40.7 years | \$199,080.21 |

IV. OLD BUSINESS

Steve Lundy

1. JFRD Out-Of-Class Pay Update

Steve Lundy updated the Advisory Committee on the JFRD Out-Of-Class Pay issue. The City will contact all members who were impacted and collect the missing employee contributions. The PFPF will adjust the pension bases and DROP accounts of all members affected who have retired.

Thomas Lumpkin asked if members of the PFPF are routinely audited to make sure they are receiving correct pension amounts.

Steve Lundy said that the PFPF undergoes an annual independent audit. The auditors take a representative sample of member files and calculate their pensions from scratch – starting with each pensionable pay element from each paycheck used in their pension average salary.

2. Share Plan Distribution Update

Steve Lundy updated the Advisory Committee on the Share Plan Distribution issue. The Board of Trustees recently approved a Supplemental Share Plan Uniform Rules and Procedures policy which provides for prospective and retrospective adjustments to members' Share Plan accounts.

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Steve Lundy said he presented this policy to the Firefighters' Union on Monday, and the FOP on Tuesday, and both unions approved. The PFPF will proceed with the retroactive adjustments in the upcoming month.

V. COUNSEL REPORTS

Lawsikia Hodges & Bob Sugarman

1. **Reemployed Pensioners Update** – (No Handout)

Lawsikia Hodges updated the Advisory Committee on the progress of the Reemployed Pensioners issue. OGC and Bob Sugarman's office has discussed the IRS components of this issue during the last week. OGC is now in the process of synthesizing and finalizing all of the information, and will present it to the Board.

2. **Beaches Time Service Connections Appeals Briefing**

Lawsikia Hodges briefed the Advisory Committee on the upcoming Special Advisory Committee Meeting, scheduled for March 26th at 9:00AM, in which the Advisory Committee will hear the appeals of members affected by the Beaches Time Service Connections issue. She made the following points:

- *OGC has assigned a litigation attorney to the Special Advisory Committee Meeting.*
- *The Special Advisory Committee Meeting is not a trial – it is a chance to hear members' presentations. There will be no cross examinations.*
- *Everything is on track for the March 26th date – OGC and the members' attorneys have coordinated scheduling.*
- *The members will have 3 options – based on the Advisory Committee's recommendation to the Board of Trustees – to receive a refund of their money, to revise their TSC for a reduced amount of time, or to pay the remaining balance in full.*
- *Timothy Johnson will present first, then the members will present, then OGC will present. After these presentations, the Advisory Committee will deliberate and form their recommendation to the Board of Trustees.*

Michael Shell asked what the Advisory Committee's responsibility is concerning a recommendation. He asked if the Advisory Committee's responsibility is to simply determine – yes or no – if an error occurred.

Lawsikia Hodges said yes, that is the scope of the Advisory Committee's responsibility. Once the Board of Trustees accepts the Advisory Committee's recommendation, Timothy Johnson will return to the members and work out a solution – the member may pay back the money over 5 years, 10 years, or something else, for example. The Advisory Committee should not have to go back and forth with each of the seven individual members. That is the PFPF's role.

Richard Reichard asked if the members would have any other option besides the three choices Lawsikia Hodges previously stated.

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Lawsikia Hodges said the Plan should guide the Advisory Committee's decision. The charge of the Board of Trustees is to administer the Plan. What does the Plan say? We have to look at the Plan – was it ambiguous, or clear? Those will be the kinds of questions the members will be mention in their presentation.

Richard Reichard asked if the Advisory Committee would not have the opportunity to decide whether these members should just pay the 8% rate.

James Holderfield said the Advisory Committee will hear the facts and take them into consideration for their recommendation to the Board of Trustees. The Advisory Committee will rely on Counsel's advice to say whether or not the Advisory Committee's recommendation should deviate from the Plan's provisions.

Lawsikia Hodges said that even at the level of the Board of Trustees, it should not be misconstrued that there is a right to deviate from the Plan's provisions. The Trustees are fiduciaries, and must administer the Plan. They have a fiduciary duty to correct errors. In such a large plan as this, errors occur occasionally. Counsel will definitely give advice, and will not recommend any action which has no basis.

Bob Sugarman said the question is, "Was an error made?". If an error occurred, there will be consequences. The members will likely say no error occurred, or will say why a correction should not apply to them.

Bob Sugarman advised the Advisory Committee to not discuss merits of the case today – that discussion should be reserved for the Special Advisory Committee on the 26th, when the members affected will be present.

James Holderfield asked Steve Lundy to email the Corrections Policy and the Hearing Procedures to the Advisory Committee after today's meeting.

James Holderfield asked what amount of time should be reserved for public speaking.

Bob Sugarman said that there will be no witnesses other than the members who may want to use public speaking. Public speaking must be allowed – the question is how much time should be allotted to each speaker.

Lawsikia Hodges said that in all of the City's boards and commissions, no less than 2 minutes and no longer than 3 minutes are allotted to individuals who request public speaking.

Steve Lundy said that historically, the Board of Trustees has had a policy of allowing a maximum of 3 minutes to each person requesting public speaking.

James Holderfield said that he plans to allow anyone on the Advisory Committee to ask Counsel any questions during the meeting openly – however members should prepare themselves for the meeting. There should not be a lot of back and forth. He encouraged the Advisory Committee members to meet individually at the PFPF office with Steve Lundy to review all the members' appeal documents in depth. This is new territory, and affects members in a big way.

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Bob Sugarman updated the Advisory Committee on an opinion issued with OGC regarding members' eligibility to connect time through the FRS DC plan. The opinion concludes that if a member is vested in the FRS DC plan, they may not connect time under the PFPF plan. Local law states that if a member is vested in another plan, they may not purchase that time.

VI. NEW BUSINESS

None.

VII. ADJOURNMENT

9:38AM

Steve Lundy, Assistant Plan Administrator
Posted 03/13/2019

James Holderfield, Chair

To be approved at the Advisory Committee Meeting on April 10, 2019.

The next regular meeting will be held Wednesday, April 10, 2019 at 9:00AM.