
JACKSONVILLE POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018 – 9:00AM

PRESENT

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

STAFF

Timothy H. Johnson, Executive Director – Plan Administrator
Steve Lundy, Assistant Plan Administrator
Chuck Hayes, Pension Benefits Manager
Lawsikia Hodges, Office of General Counsel

EXCUSED

Bob Sugarman, Fund Counsel – via Webex

GUESTS

Meeting Convened: 9:01AM

Meeting Adjourned: 9:50AM

NOTICE: Any person requiring a special accommodation to participate in the meeting because of disability shall contact Steve Lundy, Assistant Plan Administrator at (904) 255-7373, at least five business days in advance of the meeting to make appropriate arrangements. 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 E. Danson, Retired Police Director
James C. Davis Sr., Retired Police Officer
Odell Norris, Retired Firefighter

II. PUBLIC SPEAKING PERIOD

None.

III. CONSENT AGENDA (ITEMS 1-7)

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

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

1. MEETING SUMMARY TO BE APPROVED

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 2

1. **Summary of the Meeting held October 10, 2018.**

Copy held in the meeting file.

2. **APPLICATION FOR SURVIVOR BENEFITS**

1. **IVEY, Carolyn T.** *Widow of Kenneth R. Ivey (d. 09/27/2018)*
Monthly gross pension \$4,465.81

3. **APPLICATION FOR VESTED RETIREMENT**

1. **BEECHLER, William J.** Police Officer
Monthly gross pension \$1,156.88
Vesting Date 10/29/2018 Benefit Commencement Date 12/21/2029
2. **LIBERTY, Charlene E.** Police Officer
Monthly gross pension \$1,627.44
Vesting Date 10/26/2018 Benefit Commencement Date 12/11/2026

4. **APPLICATION FOR TIME SERVICE CONNECTIONS**

1. **ABELL, Scott H.** Firefighter Engineer
Florida Service (2 yrs., 9 mos.) \$37,844.40
2. **JESTER, Brandon L.** Police Officer
Military Service (1 yrs.) \$9,446.43
3. **ELKINS, Jonathan R.** Police Officer
COJ Service (4 yrs., 11 mos., 27 days) \$22,869.88
4. **GEORGE, Michael F.** Fire Lieutenant
Florida Service (9 mos., 4 days) \$11,650.48
5. **GRIFFIN, Raphael D.** Police Officer
Military Service (2 yrs.) \$18,892.85
6. **SHELSEA, Robert S.** Firefighter Engineer
Military Service (2 yrs.) \$18,811.20
- ~~7. ***SHUBERT III, Archie L.** Firefighter Engineer
COJ Service (4 yrs., 2 mos.) \$10,176.98~~

Application for Time Service Connections no. 7 deferred to December's Advisory Committee Consent Agenda.

5. **SHARE PLAN DISTRIBUTIONS**

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 3

To be received as information

1. **AGNEW, Latosha M.** Police Officer
Share Plan Distribution \$3,167.76
2. **BORNTRAEGER, Edward B.** Police Officer
Share Plan Distribution \$3,167.76
3. **BRENNAN, Paul J.** Firefighter Engineer
Share Plan Distribution \$3,167.76
4. **DANZIE, Terence L.** Police Officer
Share Plan Distribution \$3,167.76
5. **DUDLEY, Torin-Patrick** Police Officer
Share Plan Distribution \$3,167.76
6. **DUNN, Noelle B.** Police Officer
Share Plan Distribution \$3,167.76
7. **FACUNDUS, Susan M.** Police Officer
Share Plan Distribution \$3,167.76
8. **HENDRICKS, Clayburn B.** Fire Lieutenant
Share Plan Distribution \$3,167.76
9. **JONES, Michael D.** Police Officer
Share Plan Distribution \$3,167.76
10. **KLINGBEIL, Gene A.** Fire Captain
Share Plan Distribution \$3,167.76
11. **KRUGER, Mark A.** Fire Lieutenant
Share Plan Distribution \$3,167.76
12. **McDONALD, Ruthie P.** Police Officer
Share Plan Distribution \$3,167.76
13. **TERRELL, Gary** Fire Lieutenant
Share Plan Distribution \$3,167.76
14. **THOMAS, David R.** Firefighter Engineer
Share Plan Distribution \$3,167.76
15. **WELSH, Tyrone A.** Police Officer
Share Plan Distribution \$3,167.76

6. DROP PARTICIPANT TERMINATION OF EMPLOYMENT

To be received as information

1. **AYOUB, Claude E.** Police Lieutenant
Monthly Pension Base \$4,559.44
DROP Participation 10/12/2013 – 10/05/2018
2. **BISHOP, Donald A.** Police Officer
Monthly Pension Base \$3,170.34
DROP Participation 10/12/2013 – 10/05/2018
3. **BLACKWELL Jr., Edmund W.** Police Officer
Monthly Pension Base \$3,041.41
DROP Participation 10/12/2013 – 10/05/2018

DROP Participant Termination of Employment no. 3 corrected job title to Firefighter Engineer.

4. **CARNEY, Randy M.** Fire Captain
Monthly Pension Base \$4,292.20
DROP Participation 04/12/2014 – 10/12/2018
5. **CARROLL, Robert G.** Fire Lieutenant
Monthly Pension Base \$4,780.60
DROP Participation 10/12/2013 – 10/05/2018
6. **DOUCETTE, David H.** Firefighter Engineer
Monthly Pension Base \$3,022.39
DROP Participation 10/12/2013 – 10/05/2018
7. **FUSSELL II, Robert W.** Fire Lieutenant
Monthly Pension Base \$3,459.39
DROP Participation 10/12/2013 – 10/05/2018
8. **HOOVER, John K.** Police Officer
Monthly Pension Base \$3,626.76
DROP Participation 10/12/2013 – 10/05/2018
9. **KVISTAD, John K.** Fire Captain
Monthly Pension Base \$4,289.14
DROP Participation 10/12/2013 – 10/05/2018
10. **MILBERGER, Jeffery C.** Fire Lieutenant
Monthly Pension Base \$3,745.41
DROP Participation 04/12/2014 – 10/12/2018
11. **OGIN, Jack F.** Fire Lieutenant
Monthly Pension Base \$4,564.93

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 5

DROP Participation 10/12/2013 – 10/05/2018

12. **ROBERTS, Donald F.** Police Officer
Monthly Pension Base \$3,163.53
DROP Participation 10/12/2013 – 10/05/2018
13. **RUTKOWSKI, David T.** Fire Captain
Monthly Pension Base \$4,286.94
DROP Participation 10/07/2017 – 10/05/2018
14. **SISAK, Charles D.** Police Officer
Monthly Pension Base \$3,116.78
DROP Participation 10/12/2013 – 10/05/2018

7. DROP DISTRIBUTIONS

To be received as information

1. **AYOUB, Claude E.**
Entire value paid over 40 years \$353,819.60
2. **BISHOP, Donald A.**
Entire value paid over 49.5 years \$246,022.62
3. **BLACKWELL Jr., Edmund W.**
Entire value paid over 30 years \$236,018.77
4. **CARNEY, Randy M.**
Entire value paid over 35 years \$296,822.44
5. **CARROLL, Robert G.**
Entire value paid over 30 years \$370,981.23
6. **DOUCETTE, David H.**
Partial Lump Sum Payment \$60,000.00
Remaining value paid over 30 years \$174,542.15
7. **FUSSELL II, Robert W.**
Entire value paid over 49.5 years \$268,454.24
8. **HOOVER, John K.**
Entire Lump Sum Payment \$281,442.03
9. **KVISTAD, John K.**
Entire value paid over 35 years \$332,843.18
10. **MILBERGER, Jeffery C.**
Entire value paid over 45.5 years \$259,009.99

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 6

11. **OGIN, Jack F.**
Entire value paid over 46.5 years \$354,245.67
12. **ROBERTS, Donald F.**
Entire value paid over 25 years \$245,494.43
13. **RUTKOWSKI, David T.**
Entire value paid over 5 years \$54,571.18
14. **SISAK, Charles D.**
Entire value paid over 30 years \$241,866.60

IV. OLD BUSINESS

None.

V. COUNSEL REPORTS

Lawsikia Hodges

1. Bailiff Time Service Connections – (NOHANDOUT)

Lawsikia Hodges updated the Advisory Committee on the progress made on the Bailiff Time Service Connections issue. Bob Sugarman's office and OGC both agree that to connect time, members must meet the strict guideline set forth in OGC's legal memorandum – "In order for a Bailiff to prove that he or she was entitled to connect time, i.e., was previously a permanent (regular), full-time employee, the Bailiff would need to show, at a bare minimum, more than six consecutive months of working not less than 40 hours per week (or not less than 80 hours per two-week pay period)."

Lawsikia Hodges said the Board of Trustees asked for a letter to be drafted to send to members who applied to purchase bailiff time. Steve Lundy has drafted a letter to members, which would give members time to provide certification the PFPF needs to process their applications. If their applications are denied, they may appeal in accordance with the PFPF's Benefit Corrections & Appeal Policy.

Timothy Johnson said he had two conversations with JSO HR Chief, Larry Schmitt. He said that he wants to avoid undue burdens on members and the Advisory Committee. He said he asked Chief Schmitt to request an updated 'Legacy File' from the City, for the PFPF to analyze, and apply the legal standard set forth by OGC. Everyone must meet the same standard – we will get the Legacy File, do analysis internally, and then send the letters.

James Holderfield asked when the letters would be sent and how long members would have to respond.

Timothy Johnson said the draft letter is in 'ping pong'. The PFPF drafted the letter, sent it to Lawsikia Hodges, then the PFPF met with Chief Schmitt and revised the latest draft, which Lawsikia Hodges has not yet seen. The PFPF's draft, and Lawsikia Hodges' draft will be integrated.

Steve Lundy said the letter would give members 30 days to respond with a certified application.

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 7

James Holderfield suggested denying the applications first, then sending the correspondence letter.

Thomas Lumpkin asked if there was case law or provisions dealing with similar legal issues.

Lawsikia Hodges discussed the one case decided by the PERC committee, which is binding in cases such as this.

James Holderfield said the onus should be placed on the member to provide data supporting his application.

Lawsikia Hodges indicated that would be the normal course of action, but this case is different. Our thought was that the PFPF should notify the member saying 'this is what we determine', prior to denying the application – so that if the member has other resources to better prove their case to connect time, we would give them 30 days, then the Advisory Committee would have the option to deny.

Lawsikia Hodges reiterated that this case is different – the reason why these members were allowed to apply early was to lock in their rate prior to the pension contribution increase, and prior to the collectively bargained raises. In the meantime, we had to figure out what information we needed from the member to administer their application. We haven't gotten back to these members asking them for the information we need yet. That is why we should not deny the applications yet.

James Holderfield agreed, and noted that the PFPF has gone way outside its scope and responsibilities. He said he would leave it up to the PFPF administration to send the letters to members and take up the issue again later.

2. Appeals Training – HANDOUT

Timothy Johnson passed out copies of the 'Procedures for Conducting Administrative Hearings on Appeals Affecting Substantial Interests' (HANDOUT) to the Advisory Committee, leading to the first item under the Executive Director's Report.

VI. **EXECUTIVE DIRECTOR'S REPORT**

Timothy Johnson

1. Beaches Time Service Connections – Update

Timothy Johnson said that out of the 9 members affected, 8 members have appealed their Beaches Time Service Connections. The Advisory Committee needs a procedure to conduct the appeals. Pedro Herrera and Lawsikia Hodges put together these outstanding appeals procedures. Hopefully, the appeals will be resolved quickly. There are two options – hold sophisticated hearings where there is a designated, professional hearing officer hired, or secondly, the Advisory Committee would hear the appeals as the Board's designee. There is language related to a 'Presiding Officer' – that would be James Holderfield – he would officiate over the process.

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 8

Timothy Johnson said he anticipates the Advisory Committee would read and digest these procedures before accepting them. Appellants would be invited to a scheduled hearing once the Advisory Committee is comfortable.

James Holderfield said the document is comprehensive, detailed, and looks great. The Advisory Committee will have time to set rules prior to the hearing. We are getting closer to finally mitigating these errors.

Timothy Johnson said the Board wants to be fair, and not to create a long, expensive process.

2. Quarterly DROP Statements – Update
Steve Lundy

Steve Lundy said that quarterly DROP Statements have resumed for all Phase I members of the DROP. Adjustments to all Phase II members of the DROP have been calculated and confirmed by the Fund Actuary, Pete Strong, and will be made on November 19th. Statements will resume for Phase II members of the DROP after the adjustments are made.

James Holderfield said members he has talked with are ecstatic that their statements are rolling back out again so quickly.

3. 2019 Calendar and FY2019 Priorities

James Holderfield said the meetings dates are fine for 2019.

Timothy Johnson asked for any feedback the Advisory Committee may have regarding the FY2019 Proposed Priorities. No action is needed. If any members have feedback, they should send us an email.

James Holderfield said retired members are excited about the online portal.

James Holderfield asked for an update on the non-compliant affidavits.

Chuck Hayes said he sent the affidavits to Timothy Johnson, who forwarded them to OGC. OGC is currently reviewing them.

VII. NEW BUSINESS

None.

Steve Lundy, Assistant Plan Administrator
Posted 11/08/2018

James Holderfield, Chair
To be approved at the Advisory Committee Meeting on December 12, 2018.

POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – NOVEMBER 7, 2018
Page 9

The next regular meeting will be held Wednesday, December 12, 2018 at 9:00AM.