

**JACKSONVILLE POLICE AND FIRE
PENSION BOARD OF TRUSTEES
EXECUTIVE SESSION SUMMARY – MAY 28, 2015
RICHARD “DICK” COHEE BOARD ROOM**

NOTE: The sole purpose of this meeting is to confer with Legal Counsel to discuss litigation strategy in the matters of CURTIS W. LEE AND CONCERNED TAXPAYERS OF DUVAL COUNTY INC. v. CITY OF JACKSONVILLE AND JACKSONVILLE POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES, and RANDALL WYSE v. CITY OF JACKSONVILLE AND JACKSONVILLE POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES. A verbatim record of the meeting will be kept as required by law.

PRESENT

Walter Bussells, Chairman – *via phone*
Nathaniel Glover Jr., Board Secretary
Dr. Adam Herbert, Trustee
Asst. Chief Larry Schmitt, Police Trustee
Lt. Richard Tuten III, Fire Trustee

STAFF

John Keane, Executive Director-Administrator
Robert Klausner, Fund Legal Counsel
Denice Taylor, Court Reporter

GUESTS

Randy Wyse, Jax. Assoc. of Firefighters President
Steve Amos, FOP President
David McCall, Fund Advisory Committee
Mark Muchowitz, Police Officer
Eileen Kelley, Times Union

CONTACTED CHAIRMAN BUSSELLS BY PHONE PRIOR TO THE START OF THE MEETING.

BOARD SECRETARY NAT GLOVER CALLED THE MEETING TO ORDER AT 2:00PM.

The Board of Trustees recited the Pledge of Allegiance.

BOARD SECRETARY GLOVER RECOGNIZED ROBERT KLAUSNER, FUND LEGAL COUNSEL, TO EXPLAIN THE PROCEDURES FOR OUR MEETING THIS AFTERNOON. MR. KLAUSNER ADVISED THAT HE NEEDS A CLOSED SESSION TO DISCUSS LITIGATION COSTS AND SETTLEMENT STRATEGY WITH THE BOARD.

A MOTION WAS MADE BY TRUSTEE SCHMITT TO GO INTO CLOSED SESSION. SECONDED BY TRUSTEE HERBERT. VOTE WAS UNANIMOUS.

ALL GUESTS EXITED THE BOARD ROOM FOR THE CLOSED SESSION TO DISCUSS CURTIS W. LEE AND CONCERNED TAXPAYERS OF DUVAL COUNTY INC. v. CITY OF JACKSONVILLE AND JACKSONVILLE POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES, CASE NO. 16-2011-CA-004348, DUVAL COUNTY CIRCUIT COURT, 4TH JUDICIAL CIRCUIT.

ENDED THE CLOSED SESSION AND RETURNED TO PUBLIC MEETING @ 2:53PM.

BOARD SECRETARY GLOVER STATED THE BOARD WAS BACK IN OPEN SESSION. THE SAME PERSONS ARE PRESENT WHO WERE AT THE CLOSED SESSION. OTHER THAN A MOTION TO RETURN TO THIS OPEN SESSION, NO OTHER MOTIONS OR ACTIONS WERE TAKEN DURING THE CLOSED SESSION.

MR. KLAUSNER STATED HE WAS BRIEFED BY THE BOARD AND SUGGESTS A MOTION TO AUTHORIZE THE FILING OF AN APPEAL OF THE CIRCUIT COURT DECISION, PROVIDED, HOWEVER, THAT IF THE CITY AND THE FUND ARE ABLE TO REACH A LEGISLATED RESOLUTION OF THE OUTSTANDING PENSION ISSUES, THAT COUNSEL WOULD ALSO BE PERMITTED, WITHOUT FURTHER ACTION OF THE BOARD, TO VOLUNTARILY WITHDRAW THE APPEAL.

A MOTION WAS MADE BY TRUSTEE HERBERT TO ADOPT THE RECOMMENDATIONS OF COUNSEL AND TO AUTHORIZE HIM TO TAKE SUCH ACTIONS AS MAY BE NECESSARY TO PROTECT THE INTEREST OF THE FUND, INCLUDING AN APPEAL. SECONDED BY TRUSTEE TUTEN. DISCUSSION. VOTE WAS UNANIMOUS.

THE BOARD TOOK A FIVE MINUTE BREAK.

BOARD SECRETARY GLOVER ASKED THE BOARD TO COME TO ORDER. WE ARE BACK IN SESSION. ROBERT KLAUSNER IS RECOGNIZED TO EXPLAIN THE PROCEDURES FOR OUR MEETING. MR. KLAUSNER ADVISED THAT HE NEEDS

A CLOSED SESSION TO DISCUSS LITIGATION COSTS AND SETTLEMENT STRATEGY WITH THE BOARD.

A MOTION WAS MADE BY TRUSTEE TUTEN TO GO INTO CLOSED SESSION. SECONDED BY TRUSTEE HERBERT. VOTE WAS UNANIMOUS.

ALL GUESTS EXITED THE BOARD ROOM FOR THE CLOSED SESSION TO DISCUSS RANDALL WYSE v. CITY OF JACKSONVILLE AND JACKSONVILLE POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES, CASE NO. 3:13-CV-121-J-34MCR, UNITED STATES DISTRICT COURT.

END THE CLOSED SESSION AND RETURN TO PUBLIC MEETING @ 3:15PM.

BOARD SECRETARY GLOVER STATED THE BOARD WAS BACK IN OPEN SESSION. THE SAME PERSONS ARE PRESENT WHO WERE AT THE CLOSED SESSION. OTHER THAN A MOTION TO RETURN TO THIS OPEN SESSION, NO OTHER MOTIONS OR ACTIONS WERE TAKEN DURING THE CLOSED SESSION.

MR. KLAUSNER STATED HE WAS BRIEFED BY THE BOARD AND SUGGESTS THAT NO FURTHER BOARD ACTION IS NEEDED AT THIS TIME.

NO FURTHER DISCUSSION. BOARD SECRETARY GLOVER ADJOURNED THE EXECUTIVE SESSION AT 3:16PM.

TO BE APPROVED AT BOARD OF TRUSTEE MEETING ON JUNE 19, 2015

Nat Glover, Board Secretary