



JACKSONVILLE POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING AGENDA – JUNE 6, 2018 – 9:00AM

PRESENT

James Holderfield, Chair
Lt. Michael Shell, Vice Chair
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
Bob Sugarman, Fund Counsel – via Webex

EXCUSED

Eng. Jean Paravisini
Thomas Lumpkin

GUESTS

Meeting Convened

9:05AM

Meeting Adjourned

9:43AM

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

James P. Croft Sr., Retired Firefighter
Lance C. Whitaker, Active Police Officer
Travis J. Williams, Active 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

- 1. Summary of the Meeting held May 9, 2018**
Copy held in the meeting file.

2. APPLICATION FOR SURVIVOR BENEFITS

- | | |
|---|---|
| 1. WILCOX, Charlotte A.
Monthly gross pension | <i>Widow of Giddeon J. Wilcox (d. 04/25/2018)</i>
\$573.35 |
|---|---|

3. APPLICATION FOR DROP

1. **POLICE:**

ALLEN, Dale W.
ALVERS, Stephanie L.
ANDERSON, Kelvin T.
BURGOS, Nick
CALDERON, Tina J.
ROBB, Simon R.
ROBINSON, Kevin B.
SHORT, Jackson W.
WATERS, Thomas K.
WILLIAMS Jr., Richard C.

2. **FIRE:**

CLAIR, Keith R.
CORTEZ, Sergio
HATCHETT, Sean L.
HINES, Jeffery E.
JOUBERT, Timothy J.
NARCHO, Mark R.
PICKERING, Timothy C.
PRIESTER, Stephen C.
SANDS, Richard M.

4. REFUND OF PENSION CONTRIBUTIONS

To be received as information

- | | |
|---|-------------------------------|
| 1. BASSAREAR, Jesse J.
Refund | Police Officer
\$13,783.94 |
| 2. BOYD, Brian K.
Refund | Police Recruit
\$2,703.24 |
| 3. ROBINSON, Terrence D.
Refund | Police Officer
\$21,310.94 |

5. SHARE PLAN DISTRIBUTIONS

To be received as information

- | | |
|---|-------------------------------|
| 1. BROWN, Tammy L.
Share Plan Distribution | Police Sergeant
\$3,167.76 |
| 2. PREVOST, John T.
Share Plan Distribution | Police Officer
\$1,500.65 |

6. DROP PARTICIPANT TERMINATION OF EMPLOYMENT

To be received as information

- | | |
|---|---|
| 1. McNEAL, Paul L.
Monthly Pension Base
DROP Participation | Police Officer
\$3,028.51
10/12/2013 – 05/11/2018 |
| 2. McMAHON, Brian L.
Monthly Pension Base
DROP Participation | Firefighter
\$2,667.01
01/04/2014 – 05/18/2018 |

7. DROP DISTRIBUTIONS

To be received as information

- | | |
|---|-----------------------------|
| 1. McNEAL, Paul L.
Partial Lump Sum Payment
Remaining value paid over 15 years | \$170,000.00
\$41,244.88 |
| 2. McMAHON, Brian L.
Partial Lump Sum Payment
Remaining value paid over 15 years | \$10,000.00
\$166,590.33 |

IV. OLD BUSINESS

None.

V. COUNSEL REPORTS

Lawsikia Hodges & Bob Sugarman

--- Discussed under 'Executive Director's Report' ---

VI. EXECUTIVE DIRECTOR'S REPORT

Timothy Johnson

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1. Benefit Correction / Appeal Policy – Handout

Lawsikia Hodges said new scenarios have been added to this draft policy. The first page is a summary of the process. The policy itself begins on the second page. She asked the Advisory Committee to review the policy and provide any feedback to her and Bob Sugarman with the goal of being in a position to recommend the policy to the Board of Trustees for approval in July.

Lawsikia Hodges discussed the step-by-step process contained within the policy. The point of the policy is to set out a fair and equitable way to correct any benefit errors. She said this policy is a set of generalized guidelines, and the Advisory Committee could always recommend different solutions to the Board of Trustees.

Bob Sugarman said that among most of his clients, benefit corrections & appeal policies are just a two-step process; Fund Administration discovers the error, then it is resolved. If the member does not like the resolution, they appeal to the Board. However, these plans only have a couple hundred members – the PFPF is much larger, and needs a longer policy. This draft policy gives members the chance to have a dialogue with the Fund Administration, the Advisory Committee and the Board of Trustees. If they exhaust the process contained in the policy, they can go to court.

Bob Sugarman commended the PFPF Staff for their assistance in developing this draft policy.

James Holderfield said the policy is fantastic and comprehensive. It will be on the July agenda with any Advisory Committee members' suggestions.

Lawsikia Hodges asked the Advisory Committee to send any comments on the policy to Tim Johnson, and he would forward them to her and Bob Sugarman.

Bob Sugarman updated the Advisory Committee on a couple items that he was working on which are now resolved:

- The retired member who is incarcerated and had restitution ordered to be deducted from his pension check.*
- Final issues on the DROP & COLA Benefits Election – Question of "How many members were affected?" – Terminated Vested members under Ordinance 2015-304-E have a right to elect their benefits to either 2015-304-E or 2017-259.*

Timothy Johnson said everything in his report has been covered. He asked Steve Lundy to update the Advisory Committee on the progress of the DROP & COLA Benefit Election Workshops.

Steve Lundy said that all 8 workshops have concluded, and about 100 out of all 330 affected members have made their election. All members have chosen the DROP & COLA benefits under 2017-259 at this point. Not a single member has chosen 2015-304-E (the 'variable rate' plan).

James Holderfield asked when the deadline was for members to elect.

Timothy Johnson said the soft deadline has been set for June 29th. The PFPF will take as long as it takes to get all the members' responses. We don't want anybody defaulting.

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Lawsikia Hodges asked if the PFPF is tracking who attends the meetings.

Steve Lundy said yes, all attendees have signed their forms, and he is checking them off the list.

James Holderfield said he could help track down members who have not responded.

Timothy Johnson said that some members have complained that they did not receive emails from PFPF staff, however, each member who complained has been double checked, and emails were sent to all affected members successfully. Steve Zona and Randy Wyse have volunteered to contact members.

James Holderfield, Richard Reichard, and Michael Shell asked for a list of outstanding members.

Steve Lundy said he would email the list today.

Michael Shell said that he has received a lot of good feedback from members that Steve Lundy has done a good job presenting at the workshops.

Chuck Hayes said that Steve Zona and Randy Wyse have offered to have volunteers call all the outstanding members on the list to remind them of their election.

James Holderfield said he would get started on this as soon as he receives the list.

James Holderfield asked for an update on the bailiff time service connection (TSC) issue.

Timothy Johnson said that the bailiff data file was anticipated by May 24th, however it has still not been received. The PFPF was told that the list would be forwarded from JSO to COJ Employee Services for review. He said he understands that the list is now complete. He said he has talked with Lawsikia Hodges and Diane Moser, and a meeting will be held with Employee Services, OGC, Joey Greive, and Chief Larry Schmitt to see how the list aligns with the legal opinion.

Timothy Johnson said he believes the PFPF will be in a position to administer the opinion after that meeting. The list has about 160 names. Not all will be eligible for a TSC. He anticipates it will take less than 30 days to administer the TSCs. Hopefully the PFPF will be well along its way administering this project in time for the July Advisory Committee meeting.

James Holderfield said some members who will be denied the TSC might be upset. He wants a plan in place for those members to appeal.

Lawsikia Hodges said that there needs to be a talk about that process, as some members will definitely be denied the TSCs.

Timothy Johnson said members may show up with proof of their paychecks and demand a TSC. The PFPF needs to be prepared.

Lawsikia Hodges said that we need a meeting to strategize.

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Timothy Johnson said that we could invite James Holderfield to the meeting with Employee Services.

James Holderfield said he would make sure he would be available for that meeting.

Chuck Hayes asked if it has been determined who would certify the list.

Lawsikia Hodges said it would go to the Advisory Committee then to the Board of Trustees.

James Holderfield said it would work just like TSCs from other departments in the state – their HR departments certify the members' time served. In this case, the City of Jacksonville will certify the bailiffs' time.

Timothy Johnson said he is not sure we are there yet. He said that is where he would like to be.

James Holderfield said that JSO would be sending the data file to Employee Services. Eventually JSO and Employee Services must agree.

Lawsikia Hodges said that she thinks this is a 'unique crop of folks' and that this situation is not clear-cut. "The opinion is not etched in stone". She thought the applications would come to the Advisory Committee then to the Board of Trustees for approval. As always, we will have a meeting to strategize and to give the Advisory Committee more detail on how this process will work.

Chuck Hayes asked if a Child's benefit could be rejected legally.

Bob Sugarman said there is a provision in Florida law which permits the disclaiming of benefits. However, a child does not have the legal capacity to do so. The child's guardian must make the disclaimer. He said that Chuck Hayes would need a written opinion on this specific question.

Timothy Johnson said that he would direct the legal counsel to write an opinion. The process should be through the Executive Director – this process has been discussed with the Board Chair, Chris Brown. The Chair and the Executive Director should be the only people who direct the Fund's legal counsel to write opinions – the Fund's legal counsel could be bogged down with projects otherwise.

Bob Sugarman said this is a great idea – and that he could have an answer within a couple of weeks.

VII. NEW BUSINESS

None.

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Steve Lundy, Assistant Plan Administrator
Posted 06/08/2018

James Holderfield, Chair
To be approved at the Advisory Committee Meeting on July 11, 2018.

The next regular meeting will be held Wednesday, July 11, 2018 at 9:00AM.
