



## SUMMARY TO THE SPECIAL BOARD OF TRUSTEES MEETING

Thursday, August 27, 2020

1:00 P.M. – 2:00 P.M.

City of Jacksonville Police and Fire Pension Fund  
1 West Adams Street Suite 100, Jacksonville, FL 32202  
**ZOOM ONLINE MEETING – NO PHYSICAL LOCATION**

### Board of Trustees

Assistant Chief Chris Brown, Chair  
Nawal McDaniel, Secretary  
Cpt. Michael Lynch  
Richard Patsy  
Terry Wood

### Staff

Timothy H. Johnson, Executive Director – Plan Administrator  
Steve Lundy, Deputy Director  
Loree French, Office of General Counsel  
Lawsikia Hodges, Office of General Counsel  
Rita Mairs, Office of General Counsel  
Diane Tropea, Court Reporter

### Notice

Meeting Agendas and Summaries are available on our website at [jaxpfpf.coj.net](http://jaxpfpf.coj.net). For additional meeting documents, please contact Maria Young, Custodian of Public Records for the City of Jacksonville Police and Fire Pension Fund at 904-255-7373 or [MariaY@coj.net](mailto:MariaY@coj.net) to file a public records request.

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](mailto: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.

### Agenda

#### I. Convene Public Meeting – 1:00 P.M.

Chair Chris Brown convened the meeting at 1:00 P.M.

#### II. Public Speaking

None.

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III. Shade Meeting – 1:05 P.M.

Chris Brown read the Shade Meeting announcement – the Board of Trustees is going into an attorney-client session to discuss the current litigation of *Keane V. Jacksonville Police and Fire Pension Fund Board of Trustees and the City of Jacksonville, Case No. 16-2018-CA-005925*. Only the following named people may attend: Chris Brown, Nawal McDaniel, Michael Lynch, Richard Patsy, Terry Wood, Timothy Johnson, Lawsikia Hodges, Jon Phillips (not present), Rita Mairs, Loree French, and the Court Reporter (Diane Tropea).

Steve Lundy left the meeting.

IV. Reconvene Public Meeting – 1:35 P.M.

Chris Brown reconvened the Public Meeting at 1:35 P.M.

Steve Lundy joined the meeting.

Chris Brown directed Counsel to read the resolution of the Board of Trustees approving the settlement.

Loree French read the resolution. In summary, the Board of Trustees agrees to the terms of the settlement agreement executed on August 14<sup>th</sup> and will pay John Keane \$125,000. In addition, the City will pay John Keane \$125,000.

**Terry Wood made a motion to approve the Board Resolution. Seconded by Nawal McDaniel. Discussion:**

Lawsikia Hodges asked if there was any public comment.

Steve Lundy said there were no requests for public comment, and there are no members of the public present in the meeting.

The Trustees discussed the wording of the resolution as it relates to the Board and the City Council approving both \$125,000 payments to John Keane. Loree French and Rita Mairs briefly left the meeting to revise the wording.

The Board of Trustees discussed where the funds to pay the settlement would be sourced from the PFPF Budget.

Timothy Johnson said that the \$125,000 would be moved from professional services and capital improvements. The dollar amount is well below the threshold to submit a budget revision to City Council. Only Board of Trustees approval is needed, and this resolution will suffice as approval to move the funds within the Fiscal Year 2020 PFPF Budget.

Richard Patsy discussed the actuarial impact of paying this settlement, and that every dollar spent is a dollar that could have been used to paid down the actuarial liability. He said he considers this as expenses the Board of Trustees did not incur – the City incurred this for us. In lieu of that, the City should have paid the whole settlement for the Board of Trustees – otherwise it is taken out of our members’ pockets.

Michael Lynch said he agrees, but if the Board of Trustees votes this down, then the bill continues to grow, and we will be in the same boat at the end of the day.

Chris Brown said he agrees and that this is a sickening and annoying point. The question is, what is the Board’s liability if the Board did not settle.

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Richard Patsy said it seems the City is asking the Board to go above and beyond to cover the City's liability. This is a problem the City generated. They should be magnanimous and upstanding and take on their own responsibilities.

Michael Lynch said he agrees with everything Richard Patsy has said, but the Board of Trustees should move forward.

Chris Brown asked Loree French to read the changes in wording.

Loree French read the updated phrases "The Board approves settlement of Keane v. Jacksonville Police and Fire Pension Fund Board of Trustees and The City of Jacksonville, Case No. 16-2018-005925, to include payment by the Board to Keane in the amount of \$125,000. The settlement of this litigation is contingent upon the Jacksonville City Council approving a settlement payment by the City to Keane of an additional \$125,000."

Chris Brown read the vote on the amended resolution by roll call:

**Nawal McDaniel: AYE, Michael Lynch: AYE, Richard Patsy: NAY, Terry Wood: AYE, Chris Brown: AYE. The vote passed 4-1.**

V. Adjournment  
2:00 P.M.

Summary Approved:

Nawal McDaniel, Board of Trustees Secretary

**Summary Prepared By:**

Steve Lundy, Deputy Director  
City of Jacksonville Police and Fire Pension Fund

**Posted:** 08/24/2020

**To be Approved:** 09/18/2020