



SUMMARY TO THE REGULAR ADVISORY COMMITTEE MEETING

Wednesday, January 8, 2020

9:00 A.M.

City of Jacksonville Police and Fire Pension Fund
1 West Adams Street Suite 100, Jacksonville, FL 32202
Richard "Dick" Cohee Board Room

The next Advisory Committee meeting will be held February 12, 2020 at 9:00 A.M.

Advisory Committee Members

James Holderfield, Chair
Lt. Michael Shell, Vice Chair
Thomas Lumpkin
Lt. Jean Paravisini
Michael Pelletier
Cpt. Christopher Stover

Excused

Asst. Chief Richard Reichard

Staff

Timothy H. Johnson, Executive Director – Plan Administrator
Steve Lundy, Deputy Director
Chuck Hayes, Pension Benefits Manager
Sonya Harrell, Office of General Counsel
Lawsikia Hodges, Office of General Counsel
Debbie Manning, Sr. Pension Benefits Specialist
Bob Sugarman, Fund Counsel (via Webex)

Guests

Tad Delegal, Attorney
Stephanie N. Harris, JSO Occupational Health Manager
Sgt. Jody M. Kirkland, JSO
Jason L. Weathington, JSO
MaryMargaret Giannini, OGC
Jennifer Alligood, Court Reporter

Notice

Meeting Agendas and Summaries are available on our website at 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 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. 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.

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Summary

I. Moment of Silence

Charles N. Baxter, Retired Fire Captain
George W. Freeland IV, Retired Firefighter Engineer
Mark E. Gorsage, Retired Police Officer
Claude R. Miller, Retired Firefighter
Thomas S. Reinhard, Retired Police Officer
Gary D. Smith, Retired Police Sergeant
David L. Starling, Retired Police Officer

II. Public Speaking

None.

III. Election of Officers

a. Chair

Christopher Stover made a motion to retain James Holderfield as Advisory Committee Chair. Seconded by Thomas Lumpkin. The vote passed unanimously.

b. Vice Chair

Michael Pelletier made a motion to retain Michael Shell as Advisory Committee Vice Chair. Seconded by Christopher Stover. The vote passed unanimously.

IV. Consent Agenda

Steve Lundy noted that item b, Application for Membership, concerns a member who terminated employment and was approved for vested retirement. The member was subsequently rehired by JSO, and is returning to participate as an active contributing member of the Plan. Although the Plan was closed to 'New Members' in 2017, there is a section of the ordinance code which provides for members to re-enter the Plan if they did not remove their contributions.

Michael Shell made a motion to approve the Consent Agenda Items a-e, and to receive items f-i as information. Seconded by Christopher Stover. The vote passed unanimously.

a. Meeting Summaries to be Approved

1. Summary to the Regular Advisory Committee Meeting of Wednesday, December 11, 2019

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b. Application for Membership – 121.102(e)(1)(A)

- | | |
|--|-------------------|
| 1. KREMLER, Brian K.
Police Recruit | Trustee Rule 13.3 |
|--|-------------------|

c. Application for Survivor Benefits

- | | |
|--|-------------------------------|
| 1. BAXTER, Mary P.
Widow of Charles N. Baxter
Monthly gross pension | (d. 12/20/2019)
\$4,336.86 |
| 2. HICKS, Debra R.
Widow of Wayne S. Hicks
Monthly gross pension | (d. 11/29/2019)
\$3,030.07 |
| 3. JOHANN-GORSAGE, Amy L.
Widow of Mark E. Gorsage
Monthly gross pension | (d. 12/12/2019)
\$5,769.66 |
| 4. SMITH, Barbara C.
Widow of Gary D. Smith
Monthly gross pension | (d. 12/19/2019)
\$4,480.85 |

d. Application for Child's Benefit

- | | |
|---|-------------------------------|
| 1. HICKS, Jackson S.
Child of Wayne S. Hicks
Debra R. Hicks | (d. 11/29/2019)
(Guardian) |
| 2. HICKS, Greyson Y.
Child of Wayne S. Hicks
Debra R. Hicks | (d. 11/29/2019)
(Guardian) |

e. Application for Time Service Connections

- | | |
|---|---|
| 1. EASTERLY, Jeremy N., Police Officer
City of Jacksonville Service
11 months, 3 days | Jacksonville Sheriff's Office – Bailiff
\$4,694.86 |
| 2. FLORES, Mark A., Police Officer
City of Jacksonville Service
2 months | Jacksonville Sheriff's Office – Bailiff
\$2,581.41 |
| 3. KRAMARSIC, Jeffrey T., Police Officer
Prior Military Service
2 years | U.S. Army
\$28,478.54 |
| 4. SPEICHER, Alvin W., Police Officer
City of Jacksonville Service
6 months, 9 days | Jacksonville Sheriff's Office – Bailiff
\$3,022.86 |

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5. VANLOOVEN Jr., Gary P., Police Officer City of Jacksonville Service 11 months, 17 days	Jacksonville Sheriff's Office – Bailiff \$7,291.05
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f. Refund of Pension Contributions

1. BRYANT, Rodney D., Police Officer Refund of Contributions	\$21,128.54
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g. DROP Participant Termination of Employment

1. ACOSTA, Joseph E., Fire Lieutenant Monthly pension base DROP Participation	\$4,287.42 01/02/2016 – 12/27/2019
2. ADAMS Jr., William J., Police Officer Monthly pension base DROP Participation	\$3,232.36 01/03/2015 – 12/27/2019
3. ADLER, David R., Firefighter Engineer Monthly pension base DROP Participation	\$3,166.62 01/03/2015 – 12/27/2019
4. ARFLIN, Bransom O., Police Officer Monthly pension base DROP Participation	\$3,195.36 01/03/2015 – 12/27/2019
5. BLANKINCHIP, Dennis W., Police Officer Monthly pension base DROP Participation	\$3,301.72 01/03/2015 – 12/27/2019
6. CALDWELL Sr., Frederick A., Police Officer Monthly pension base DROP Participation	\$3,177.69 04/11/2015 – 12/27/2019
7. CANNON, James W., Police Sergeant Monthly pension base DROP Participation	\$4,140.71 01/03/2015 – 12/27/2019
8. CHAFIN, Timothy A., Police Officer Monthly pension base DROP Participation	\$3,834.04 01/03/2015 – 12/27/2019
9. CROUCH, Dwayne L., Police Officer Monthly pension base DROP Participation	\$3,464.77 01/03/2015 – 12/27/2019
10. DANZIE, Terence L., Police Officer Monthly pension base DROP Participation	\$3,550.36 10/06/2018 – 11/29/2019

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11. DAVIS, Tony R., Director of Police Services	
Monthly pension base	\$6,781.82
DROP Participation	01/03/2015 – 12/27/2019
12. DELANO, Scott R., Police Sergeant	
Monthly pension base	\$3,904.89
DROP Participation	01/03/2015 – 12/27/2019
13. ECHELBERGER, Brad F., Police Sergeant	
Monthly pension base	\$3,760.16
DROP Participation	01/03/2015 – 12/27/2019
14. GRANT, Brenda A., Police Officer	
Monthly pension base	\$3,529.44
DROP Participation	01/03/2015 – 12/27/2019
15. GRANT, Patricia E., Police Sergeant	
Monthly pension base	\$3,817.19
DROP Participation	01/03/2015 – 12/27/2019
16. GUPTON III, Robert M., Police Officer	
Monthly pension base	\$3,274.75
DROP Participation	01/03/2015 – 12/27/2019
17. HART, David S., Fire Captain	
Monthly pension base	\$4,297.05
DROP Participation	01/03/2015 – 12/27/2019
18. HOWARD, Edward L., Police Sergeant	
Monthly pension base	\$3,916.15
DROP Participation	01/03/2015 – 12/27/2019
19. HOWELL, Joseph R., Fire Lieutenant	
Monthly pension base	\$3,920.02
DROP Participation	01/03/2015 – 12/27/2019
20. HYSLER, John P., Police Officer	
Monthly pension base	\$3,522.65
DROP Participation	01/03/2015 – 12/27/2019
21. JENSCHKE, Troy A., Fire Captain	
Monthly pension base	\$4,245.87
DROP Participation	01/03/2015 – 12/27/2019
22. LOPEZ, Harvey, Police Officer	
Monthly pension base	\$3,230.92
DROP Participation	04/11/2015 – 12/13/2019
23. LUKAS Jr., Robert A., Firefighter	
Monthly pension base	\$3,156.22
DROP Participation	01/03/2015 – 12/27/2019
24. MALLORY II, Louis B., Fire Lieutenant	
Monthly pension base	\$3,928.12
DROP Participation	01/03/2015 – 12/27/2019

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25. McCLAIN, Clyde D., Police Officer	
Monthly pension base	\$3,281.23
DROP Participation	01/03/2015 – 12/27/2019
26. MESSERSMITH, Raymond C., Police Sergeant	
Monthly pension base	\$3,927.25
DROP Participation	01/03/2015 – 12/27/2019
27. PEERY, Michael A., Fire Lieutenant	
Monthly pension base	\$4,008.35
DROP Participation	01/03/2015 – 12/27/2019
28. PFISTER, Gerard W., Police Officer	
Monthly pension base	\$3,205.47
DROP Participation	01/03/2015 – 12/27/2019
29. ROBERTSON, William T., Fire Captain	
Monthly pension base	\$4,172.65
DROP Participation	01/03/2015 – 12/27/2019
30. SANTIAGO, Juan L., Police Officer	
Monthly pension base	\$3,166.53
DROP Participation	01/03/2015 – 12/27/2019
31. SCOTT, Sharon M., Police Lieutenant	
Monthly pension base	\$4,664.27
DROP Participation	01/03/2015 – 12/27/2019
32. ULSCH, Michael F., Police Officer	
Monthly pension base	\$3,167.41
DROP Participation	01/03/2015 – 12/27/2019
33. WARREN, John D., Police Sergeant	
Monthly pension base	\$4,496.73
DROP Participation	01/03/2015 – 12/27/2019
34. WILLIAMS, Reginald K., Police Officer	
Monthly pension base	\$3,195.98
DROP Participation	01/03/2015 – 11/30/2019

h. DROP Distributions

1. ACOSTA, Joseph E.	
Entire value paid over 25 years	\$252,743.02
2. ADAMS Jr., William J.	
Entire value paid over 45.5 years	\$252,163.56
3. ADLER, David R.	
Partial lump sum payment	\$50,000.00
Remaining value paid over 30 years	\$197,035.33

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4. ARFLIN, Bransom O.	
Partial rollover payment	\$149,275.64
Remaining rollover payment	\$100,000.00
5. BLANKINCHIP, Dennis W.	
Entire value paid over 47.5 years	\$257,574.20
6. CALDWELL Sr., Frederick A.	
Partial lump sum payment	\$132,000.00
Remaining value paid over 35 years	\$100,661.45
7. CANNON, James W.	
Entire value paid over 41.6 years	\$323,024.45
8. CHAFIN, Timothy A.	
Entire value paid over 44.6 years	\$299,101.82
9. CROUCH, Dwayne L.	
Entire value paid over 41.6 years	\$270,292.13
10. DANZIE, Terence L.	
Entire value paid over 20 years	\$52,482.84
11. DAVIS, Tony R.	
Partial value paid over 35 years	\$500,062.46
Remaining rollover payment	\$29,000.00
12. DELANO, Scott R.	
Entire value paid over 47.5 years	\$304,628.69
13. ECHELBERGER, Brad F.	
Entire value paid over 48.8 years	\$293,337.15
14. GRANT, Brenda A.	
Entire value paid over 20 years	\$254,275.36
15. GRANT, Patricia E.	
Entire rollover payment	\$297,785.77
16. GUPTON III, Robert M.	
Entire value paid over 30 years	\$255,468.32
17. HART, David S.	
Entire value paid over 45.5 years	\$335,220.42
18. HOWARD, Edward L.	
Entire value paid over 35 years	\$305,505.49
19. HOWELL, Joseph R.	
Entire value paid over 40.7 years	\$305,808.95
20. HYSLER, John P.	
Entire value paid over 46.5 years	\$274,809.99
21. JENSCHKE, Troy A.	
Entire value paid over 42.6 years	\$331,228.09
22. LOPEZ, Harvey	
Entire value paid over 42.6 years	\$234,138.87

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23. LUKAS Jr., Robert A.	
Entire value paid over 45.5 years	\$246,222.63
24. MALLORY II, Louis B.	
Entire value paid over 47.5 years	\$306,440.27
25. McCLAIN, Clyde D.	
Entire value paid over 35 years	\$255,974.74
26. MESSERSMITH, Raymond C.	
Entire value paid over 47.5 years	\$306,373.33
27. PEERY, Michael A.	
Partial lump sum payment	\$31,500.00
Remaining value paid over 39.7 years	\$281,199.93
28. PFISTER, Gerard W.	
Entire value paid over 35 years	\$250,064.60
29. ROBERTSON, William T.	
Entire value paid over 39.7 years	\$325,517.20
30. SANTIAGO, Juan L.	
Partial lump sum payment	\$20,000.00
Remaining value paid over 41.6 years	\$227,025.53
31. SCOTT, Sharon M.	
Entire value paid over 30 years	\$363,868.69
32. ULSCH, Michael F.	
Entire value paid over 35 years	\$247,095.83
33. WARREN, John D.	
Partial lump sum payment	\$10,000.00
Remaining value paid over 30 years	\$340,797.48
34. WILLIAMS, Reginald K.	
Entire rollover payment	\$244,610.37

i. DROP Distributions for Survivors

1. JOHANN-GORSAGE, Amy L.	
Entire value paid over 35 years	\$235,555.20

V. Counsel Reports
None.

VI. Executive Director's Report
None.

VII. New Business
None.

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VIII. Old Business

a. Application for Disability Retirement

1. WEATHINGTON, Jason L., Police Officer

Hearing Order of Presentation:

a. Call to order and determination of quorum

James Holderfield noted there is a quorum of six members out of a total seven on the Advisory Committee. Richard Reichard is not present today.

b. Offer applicant postponement if all members of Advisory Committee not present

James Holderfield offered to defer today's hearing, because there was not a full committee.

Tad Delegal said we prefer to go forward today.

c. Ask for any public comments (in case City, JSO or union have concerns they want to address)

There were no requests to make public comments.

d. PFPF lawyer gives opening statement

i. Describing order of hearing

Bob Sugarman discussed the order of today's hearing. He described the duties of the Advisory Committee to hear the member's argument attempting to prove he is entitled to a disability pension under the code provisions. The applicant bears the burden of proof. The applicant or lawyer must prove that each item (ii) below is 'yes'. If one is 'no', then the member is not entitled to a disability pension under the code provisions.

ii. Asking applicant or lawyer to focus on these questions and evidence in record that shows answer to each one is "yes":

- 1. Did applicant suffer an injury or illness**
- 2. Did it cause the applicant a disability? If so, what can he not do now that he was able to do before illness or injury?**
- 3. Is the disability permanent and total? Explain concept of maximum medical improvement?**
- 4. Does this disability prevent the applicant from rendering useful and efficient service as a Police Officer or Firefighter?**

e. Applicant or lawyer presents case.

Tad Delegal, attorney for member Jason Weathington, presented the argument for granting Jason Weathington a disability pension. He argued that due to the severity of his symptoms, Jason Weathington is unable to perform effective work, and should be granted a disability pension.

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Sonya Harrell, of the Office of General Counsel, presented an opposing point of view. Her argument is that the Jacksonville Sheriff's Office has offered reasonable accommodations to Jason Weathington, accommodating his disability. She argued that because he has an available job, consistent with the Collective Bargaining Agreement, the Advisory Committee should not grant payment of a disability pension.

Jason Weathington was sworn in by Jennifer Alligood, Court Reporter.

Tad Delegal questioned Jason Weathington regarding the circumstances leading to his disability, and the symptoms arising from the injury. He questioned Jason Weathington on how these symptoms affect his ability to work in the TeleServe unit of JSO (light duty). He discussed the physician's letters regarding Jason Weathington's disability and symptoms, and how they affect his ability to work.

Jason Weathington described his symptoms, and agreed that these symptoms prevent him from performing useful and efficient service as a Police Officer.

Sonya Harrell questioned Jason Weathington regarding his symptoms and how they affect his ability to work. She also asked about his annual leave, and if he applied for FMLA or any disability accommodations.

f. Advisory Committee questions of applicant or lawyer.

Thomas Lumpkin, Michael Pelletier, and Michael Shell asked questions of Jason Weathington concerning his disability.

James Holderfield recessed the meeting at approximately 10:35AM.

James Holderfield resumed the meeting at approximately 10:45AM.

Sgt. Jody Kirkland was sworn in, and testified as a witness.

Tad Delegal, Sonya Harrell, James Holderfield, Michael Shell, and Michael Pelletier questioned Sgt. Kirkland regarding Jason Weathington's performance as a police officer when he served under Sgt. Kirkland.

Stephanie Harris, JSO Occupational Health Manager was sworn in, and testified as a witness.

Sonya Harrell, Tad Delegal, James Holderfield, Michael Shell, Thomas Lumpkin, and Michael Pelletier questioned Stephanie Harris regarding timesheets, leave, FMLA, TeleServe, and reasonable accommodations.

Tad Delegal gave his closing argument, and said that Jason Weathington is entitled to a disability pension based on evidence from doctors, and Stephanie Harris's testimony.

Sonya Harrell gave her closing argument, and said that Jason Weathington is not entitled to a disability pension because he is able to perform useful and efficient service in TeleServe.

g. Chairman asks for motion either

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i. Recommending granting of application

James Holderfield asked if there was a motion to recommend approval of Jason Weathington's application for disability pension.

No motions were made.

ii. Denying application with reasons for denial, or

James Holderfield asked if there was a motion to recommend denial of Jason Weathington's application for disability pension.

Michael Shell made a motion to recommend denial of Jason Weathington's application for disability pension based on item number 4. Seconded by Michael Pelletier. Discussion:

Michael Shell said he has great empathy for Jason Weathington's injury. He said he understands his pain, but JSO has a longstanding history and tradition of accommodation.

The vote passed unanimously.

iii. Tabling vote in case Advisory Committee wants more information

The vote was not tabled.

James Holderfield asked Chuck Hayes to make sure the disability pension reapplication process was provided to Jason Weathington.

Tad Delegal asked when the next Board of Trustees meeting will be held

Steve Lundy said the next Board meeting is scheduled for January 17th at 9AM.

Tad Delegal said he would like the transcript, and the opportunity to write to the Board of Trustees in February. January may be difficult in 9 days.

Timothy Johnson said he has no problem giving the member time to prepare for the Board of Trustees level. We will review the procedures to ensure due process, and to give lawyers the opportunity to address the Board of Trustees.

IX. Adjournment
12:20 P.M.

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9:00 A.M.

Summary Approved:

James Holderfield, Chair
Advisory Committee

Summary Prepared By:
Steve Lundy, Deputy Director
City of Jacksonville Police and Fire Pension Fund

Posted: 01/09/2020

To be Approved: 02/12/2020