
**POLICE AND FIRE PENSION FUND
ADVISORY COMMITTEE
MEETING SUMMARY – JUNE 14, 2017 – 9:00AM**

PRESENT

James Holderfield, Chair
Battalion Chief Sean Hatchett, V. Chair
Cpt. Michael Lynch, Fire Representative
Lt. Christopher Stover, Fire Representative
Rick Townsend, Retired Police Representative

STAFF

Timothy H. Johnson, Executive Director – Plan Administrator
Chuck Hayes, Pension Benefits Manager
Lawsikia Hodges, Office of General Counsel
Steve Lundy, Pension Benefits Specialist
Bob Sugarman, Fund Counsel – via webex

EXCUSED

Lt. Ellis Burns, Police Representative
Lt. Michael Shell, Police Representative

GUESTS

Randy Wyse, President, Jacksonville Association of Firefighters

I. CALL TO ORDER

Chairman James Holderfield called the meeting to order at 9:00AM.

II. A MOMENT OF SILENCE WILL BE OBSERVED FOR THE FOLLOWING DECEASED MEMBERS:

William C. Barker Jr., retired Police Officer
James W. Black, retired Fire District Chief
William “Bill” Bolena III, retired Police Officer
William M. “Bill” Plaster, retired Police Officer
Gerald Roach, active Fire District Chief
Anthony R. Rodgers, retired Police Officer
Thomas C. Simms Jr., retired Police Officer

William R. Van Cleave, retired Firefighter Engineer

III. PUBLIC SPEAKING PERIOD

There were no requests for Public Speaking. Public Speaking Period was closed.

IV. CONSENT AGENDA (ITEMS 1-10)

1. MEETING SUMMARY TO BE APPROVED

1. **Summary of the meeting held May 10, 2017**
Copy held in the meeting file.

A motion was made by Sean Hatchett to approve the meeting summary for May 10, 2017, seconded by Rick Townsend. The vote was unanimous.

2. APPLICATION FOR MEMBERSHIP

A motion was made by Michael Lynch to approve the Applications for Membership, seconded by Sean Hatchett. The vote was unanimous.

3. APPLICATION FOR SURVIVOR BENEFITS

A motion was made by Michael Lynch to approve the Applications for Survivor Benefits, seconded by Christopher Stover. The vote was unanimous.

4. APPLICATION FOR VESTED RETIREMENT

A motion was made by Rick Townsend to approve the Applications for Vested Retirement, seconded by Christopher Stover. The vote was unanimous.

5. APPLICATION FOR TIME SERVICE CONNECTIONS

The Applications for Time Service Connections were verified with supporting documentation and received as information by the Advisory Committee.

6. REFUND OF PENSION CONTRIBUTIONS

The Refund of Pension Contributions were verified with supporting documentation and received as information by the Advisory Committee.

7. SHARE PLAN DISTRIBUTIONS

Michael Lynch stated his opinion that Phase I Members of the DROP should not receive a Share Plan payout until they 'retire for good'. Also, Michael Lynch told the Committee that a member who was given a Share Plan payout had issues because he received his check early – before the stated 30 day limit stated on the Share Plan letter.

Chuck Hayes discussed why some Share Plan checks are distributed a couple days before the 30 day limit per ITD reporting policies.

Timothy Johnson, Chuck Hayes, and Michael Lynch discussed the 30 day limit to choose a Share Plan distribution method in greater detail.

Timothy Johnson said that the PFPF staff will audit this member's file.

James Holderfield said that this matter will be dealt with administratively and PFPF staff will make any necessary corrections.

James Holderfield addressed Michael Lynch's disagreement concerning the DROP members' requirement to take a Share Plan payout upon enrollment in the DROP. James Holderfield said that DROP members are considered 'Phase I retirees' by the Board of Trustees, and the Ordinance and Board Policy requires that upon retirement, the Share Plan must be paid out.

James Holderfield and Randy Wyse briefly discussed how the Share Plan will be administered after the 2017 Pension Reform takes effect.

Michael Lynch asked for a legal opinion on the DROP members getting their Share Plan payout.

Bob Sugarman said that he can give an opinion, alongside OGC, addressing Michael Lynch's two 'In Service Distribution' questions:

- 1. Can DROP members be denied Shares after DROP enrollment?*
- 2. Is the Share Plan payout to DROP members upon enrollment considered an 'In Service Distribution'?*

The Share Plan Distributions were verified with supporting documentation and received as information by the Advisory Committee.

8. APPLICATION FOR DROP

A motion was made by Sean Hatchett to approve the Applications for DROP, seconded by Rick Townsend. The vote was unanimous.

9. DROP PARTICIPANT TERMINATION OF EMPLOYMENT

The DROP Participant Termination of Employment were verified with supporting documentation and received as information by the Advisory Committee.

10. DROP DISTRIBUTIONS

The DROP Distributions were verified with supporting documentation and received as information by the Advisory Committee.

V. OLD BUSINESS

Lawsikia Hodges

1. Reemployed PFPF Pensioners Affidavits

Lawsikia Hodges discussed her most recent edits to the Affidavit. She said that the Affidavit will uncover if any PFPF pensioners have current contracts with the City. The Affidavit would give the PFPF information that would prompt administrative research into possible Ordinance Code violations. Lawsikia Hodges also said that she and Bob Sugarman may make minor tweaks to the Affidavit.

Bob Sugarman said that the Affidavit document is the result of collaboration between himself, OGC, and the PFPF staff. Minor formatting edits are the only changes left to be made, as content and language have been agreed upon.

Timothy Johnson said that the PFPF staff, OGC, and Bob Sugarman have reviewed and made edits to previous versions of this Affidavit document, and that an updated version will be presented to the Advisory Committee in July.

Sean Hatchett asked how the PFPF administration will handle the situation if a member checks the 'yes' box on the Affidavit.

Lawsikia Hodges answered that if the member does in fact have a contract with the City, then the member must produce a copy of it. At that point, the PFPF staff will get their counsel involved. The Board of Trustees would then have to pull the member's pension away after the investigation. Lawsikia Hodges said that an official policy for this should be written.

Bob Sugarman said that he is currently working on the reclamation policy – the policy would apply to this case, in addition to others. He said that his reclamation policy should be ready within 60 days.

2. Rounsville Vested Retirement Application / Survivor Benefit Legal Opinion

Bob Sugarman said that the Advisory Committee's decision to wait to act on this matter was good, given Rounsville's appeal.

James Holderfield asked if the PFPF would be able to reinstate Rounsville's pension if he is cleared after his forfeiture and appeal.

Bob Sugarman said that it could be easily reversed.

James Holderfield, Chuck Hayes, and Michael Lynch discussed similar situations, such as temporary disability, and pension contribution refunds.

Sean Hatchett made a motion to make a recommendation to the Board of Trustees to begin the process of forfeiture of Michael Rounsville's pension, given his adjudication of guilt, seconded by Rick Townsend. The vote was unanimous.

3. **Reclamation Legal Opinion**

Lawsikia Hodges said that OGC is still reviewing the reclamation legal opinion, and noted that Bob Sugarman discussed the policy previously in the meeting.

4. **Bailiff Legal Opinion**

Lawsikia Hodges said that Bailiffs may buy and connect their time, if they worked full time hours, because applicable labor laws override what the ordinance says. Lawsikia Hodges recalled a conference call between affected departments in the City, in which administrative implementation of the opinion was discussed.

James Holderfield said that JSO HR should look at this opinion closely, because lots of members are affected by it and are interested in connecting their Bailiff time. James Holderfield estimated that around 100 employees may be impacted.

The Advisory Committee and Lawsikia Hodges discussed PFPF pensioners who have been reemployed with the City as Bailiffs, and how they are not eligible to connect their Bailiff time.

VI. **EXECUTIVE DIRECTOR'S REPORT**

Timothy Johnson

1. DROP Enrollment Statistics as of June 2, 2017

Timothy Johnson noted that each quarter, Steve Lundy prepares the DROP enrollment statistics, which tracks DROP enrollment trends.

Steve Lundy highlighted the DROP Enrollment Statistics for the quarter. Steve Lundy noted that for the first time in the history of the program, there were no Fire enrollments into the DROP this quarter.

VII. NEW BUSINESS

Michael Lynch discussed his recent trip to Tallahassee for the Trustee education conference. He discussed current court cases affecting other pension plans, such as marriage discrimination.

Michael Lynch voiced his reservations concerning how the Share Plan interest is calculated and applied.

James Holderfield reminded Michael Lynch that the Share Plan is in its infancy, and everything will be ironed out in due time.

VIII. ADJOURNMENT

Chairman James Holderfield adjourned the meeting at 10:10AM.

NOTES:

Any person requiring a special accommodation to participate in the meeting because of disability shall contact Steve Lundy, Pension Benefits Specialist, at (904) 255-7373, at least five business days in advance of the meeting to make appropriate arrangements.

The public meeting may be continued to a date, time, and place to be specified on the record at the meeting. If any person decides to appeal any decision made with respect to any matter considered at this public meeting such person will need to 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. Additional items may be added / changed prior to meeting.

SL

James Holderfield, Chairman

To be approved at the Advisory Committee Meeting on July 12, 2017