



SUMMARY TO THE REGULAR ADVISORY COMMITTEE MEETING

Wednesday, March 11, 2020

9:04 A.M. – 9:46 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 April 8, 2020 at 9:00 A.M.

Advisory Committee Members

James Holderfield, Chair
Lt. Michael Shell, Vice Chair
Thomas Lumpkin
Asst. Chief Richard Reichard
Cpt. Christopher Stover

Board of Trustees

Cpt. Michael Lynch

Staff

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

Excused

Lt. Jean Paravisini
Michael Pelletier

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.

Summary

I. Moment of Silence

Jeffrey S. Bailey, Retired Firefighter Engineer
John M. Burke, Retired Police Officer
Joe D. Smith, Retired Fire Lieutenant

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II. Public Speaking

III. Consent Agenda

Thomas Lumpkin made a motion to approve the Consent Agenda Items a-d, and to receive items e-i as information. Seconded by Richard Reichard. The vote passed unanimously.

a. Meeting Summaries to be Approved

1. Summary to the Regular Advisory Committee Meeting of Wednesday, February 12, 2019

b. Application for Survivor Benefits

1. BAILEY, Jean M.
Widow of Jeffrey S. Bailey (d. 02/09/2020)
Monthly gross pension \$4,912.83
2. BURKE, Anne S.
Widow of John M. Burke (d. 02/07/2020)
Monthly gross pension \$6,752.12
3. CREWS, Carol E.
Widow of Wilmer A. Burnett (d. 05/12/1991)
Monthly gross pension \$468.00
4. SMITH, Andra J.
Widow of Joe D. Smith (d. 02/15/2020)
Monthly gross pension \$6,371.88

c. Application for DROP

1. POLICE
CREWS, Randall L. Police Sergeant
SWANSON, Willie C. Police Officer
2. FIRE
BRADDOCK, Michael S. Fire Battalion Chief
CAMPBELL, Jeffrey A. Fire Captain
JONES, Terrance A. Fire District Chief
VIRTUE, Michael E. Fire Lieutenant

d. Application for Time Service Connections

1. BLANFORD, Robert J., Police Officer
Prior Military Service U.S. Air Force
2 years \$22,684.90

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e. Refund of Pension Contributions

1. BRIGHT, Christine N., Police Officer	
Refund of Contributions	\$10,107.09
2. MORROW, Jennifer M	
Refund of Contributions	\$20,237.92

f. Share Plan Distributions

RICHARDSON, Vernon A. (Estate), Police Officer	\$64.49
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g. DROP Participant Termination of Employment

1. GONZALEZ, David C.	
Monthly pension base	\$3,174.42
DROP Participation	04/11/2015 – 02/28/2020
2. MESH, Mindy L.	
Monthly pension base	\$3,170.07
DROP Participation	01/14/2017 – 02/06/2020
3. WYATT, Jeffrey W.	
Monthly pension base	\$3,271.62
DROP Participation	01/14/2017 – 02/21/2020

h. DROP Distributions

1. GONZALEZ, David C.	
Entire value paid over 30 years	\$243,454.36
2. HILLS, Derrell C.	
Remaining lump sum payment	\$80,316.27
3. MESH, Mindy L.	
Partial lump sum payment	\$90,000.00
Remaining value paid over 48.8 years	\$46,444.64
4. WYATT, Jeffrey W.	
Entire value paid over 30 years	\$143,061.79

i. DROP Distributions for Survivors

1. BAILEY, Jean M.	
Entire value paid over 20 years	\$241,847.82
2. BURKE, Anne S.	
Entire value paid over 12 years	\$208,202.67
3. SMITH, Andra J.	
Entire value paid over 6 years	\$87,447.35

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IV. Executive Director's Report
Timothy Johnson

V. Counsel Reports

a. Recommendation to initiate forfeiture against JSO Deputy Michael Rounsville following his felony conviction under 18 U.S.C. §1030(a)(2)(B) and (c)(2)(B)

Bob Sugarman briefed the Advisory Committee on the conviction of member Michael Rounsville. He was convicted of a felony of using his police computer for personal gain. The Florida Statutes say that if someone uses their official position for personal gain, and convicted of a felony, their pension is forfeitable. This authorizes the PFPF to begin forfeiture proceedings. If his pension is forfeited, he would get a refund of his contributions, without interest (less the amount we have paid him as a pensioner).

The Advisory Committee discussed the specific offense of which Michael Rounsville was convicted.

Chuck Hayes said the Pension Fund has paid Michael Rounsville a total of approximately \$30,000 out of \$50,000 in contributions.

Timothy Johnson said there is about a 2-3 month window until the pension payments to Rounsville would overtake his total contributions.

The Advisory Committee discussed appeals, and the process by which the Advisory Committee would hold a hearing for Michael Rounsville.

Bob Sugarman said the Board of Trustees could approve forfeiture hearing rules, or, if it doesn't, we would be covered under the Florida Statutes. Chapter 120 of the Florida Statutes, the Administrative Hearings Act, would cover any forfeiture hearing proceedings.

The Advisory Committee discussed situations in which Michael Rounsville might appeal his conviction, and the change in his status if his pension was hypothetically forfeited.

Bob Sugarman said his conviction was 11 months ago, and believes that the window to appeal his conviction has passed.

Chuck Hayes said that he spoke with the judge in Michael Rounsville's case, and the judge said Michael Rounsville has not appealed.

Michael Shell asked what evidence could be presented at a forfeiture hearing.

Bob Sugarman said any evidence could be presented, whether or not it was included in the trial.

Bob Sugarman discussed arguments Michael Rounsville's lawyer may make against proposed forfeiture.

Richard Reichard said that the Advisory Committee typically does not rush to judgement on taking benefits away from members, and errs on the side of caution. However, this is clear – Michael Rounsville was convicted of a forfeitable offense.

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James Holderfield asked if Richard Reichard would make a motion.

Richard Reichard made a motion to recommend starting forfeiture proceedings to the Board of Trustees. Seconded by Thomas Lumpkin. The vote passed unanimously.

VI. New Business

VII. Old Business

Timothy Johnson discussed one retired member who was affected by the Beaches Time Services Connection issue – Frank Holtsman. Holtsman was not included with the active employees in the appeal proceedings because he had already retired at the time the calculation error was discovered. When the Board of Trustees forgave the active employees, Holtsman was not included in that action.

Timothy Johnson said he would like to recommend that the Advisory Committee discuss Frank Holtsman, and recommend that the Board of Trustees apply the same action to Frank Holtsman’s Time Service Connection as it did for the active members – which was to forgive the underpayment.

James Holderfield said it would have cost more money to litigate and recover the difference between the incorrect and correct cost of the members’ Time Service Connections than to just accept the erroneous amount. If we apply the same decision to Frank Holtsman, he would not be required to pay any more, and the Board of Trustees would not attempt to collect additional money.

Lawsikia Hodges asked Bob Sugarman about the insurance claim filed on this error.

Bob Sugarman said the claim was denied. He asked if Holtsman owes more money, and if an attempt was made to collect it.

Timothy Johnson said that a verbal attempt was made. This action today would be to forgive that amount.

Bob Sugarman asked if Holtsman would be treated just like everyone else affected.

Timothy Johnson said yes.

Bob Sugarman asked Lawsikia Hodges if this action would be OK with her.

Lawsikia Hodges said yes, if there are no IRS issues.

Bob Sugarman said that we attempted to collect money from Holtsman, but he declined. We are OK as long as we have documented our attempt to collect.

James Holderfield noted that there were no members of the public present, and no public speaking was requested.

Christopher Stover made a motion to recommend applying the same standard to Frank Holtsman’s Time Service Connection as the other members affected by the Beaches Time Service Connections issue to the Board of Trustees. Seconded by Thomas Lumpkin. The vote passed unanimously.

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Timothy Johnson updated the Advisory Committee on the PFPF's preparedness plan regarding the ongoing Coronavirus Pandemic. PFPF staff is able to run pension payroll remotely, and will do so if the Mayor closes City Departments to prevent the spread of the virus.

James Holderfield asked if the Annual Members' Meeting is still scheduled for March 20th.

Timothy Johnson said that it is still a 'GO', however he is monitoring the pandemic situation and will provide final word at least 7 days in advance of the 20th.

VIII. Adjournment
9:46 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: 03/11/2020
To be Approved: 04/08/2020