

**BOYNTON BEACH POLICE OFFICERS' PENSION FUND
MINUTES
SPECIAL MEETING
October 21, 2020**

01:00 PM

The special meeting of the Board of Trustees of the City of Boynton Beach Police Officers' Pension Fund was called to order on behalf of the Board by Chairman Jason Llopis on October 21st at 1:00 PM. This meeting was being held pursuant to Executive Order 20-69, which was signed by Governor Ron DeSantis. This Executive order allows governmental bodies to utilize audioconferencing and or teleconferencing to conduct public meeting.

TRUSTEES PRESENT:

Mr. Jason Llopis -Chairman; Mr. Russell Faine -Secretary; Mr. Brian McDeavitt-Trustee; Mr. Daniel Dugger- Trustee; Mr. Michael Kelley-Trustee.

It should be noted that there was a quorum for the Board to have an official meeting.

OTHERS PRESENT:

Ms. Bonni Jensen, Board Attorney – Klausner, Kaufman, Jensen & Levinson.

Mr. Louis Penque – Plan Administrator.

Mr. Ralph King- Attorney

PUBLIC DISCUSSION:

There were no comments from the public.

CONSENT AGENDA:

NONE:

INVESTMENT REPORT:

NONE:

INVESTMENT MONITOR REPORT:

NONE:

ATTORNEY REPORT:

Prior to this meeting the trustees were informed by Administrator Penque that both members, Phillip Antico and Michael Brown received their notice of proposed agency action for forfeiture of their retirement benefits. Both members did retain an attorney who would be representing them, who was identified as Ralph King.

On October 10th, 2020, Administrator Penque received two petitions to contest proposed agency action and request hearing. Attorney Bonni Jensen also received the petition. The Board was advised of the receipt of the petitions and advised they were required to hold a special meeting within 15 days of receipt to determine if the Board was going to hear the forfeiture cases or was hire a hearing officer from the Division of Administrative Hearings to oversee the case.

Attorney Bonni Jensen explained the Board's options on proceeding with the forfeiture hearings against members Phillip Antico and Michael Brown. The first order of business was to determine if the Board was going to hire a hearing officer or elect to hold the hearings themselves. It was the recommendation from Attorney Bonni Jensen to hire a Hearing Officer.

After a lengthy discussion Chairman Jason Llopis made a motion to hire a hearing officer. This motion was seconded by Trustee Mike Kelly, with no further discussion the motion passed 3-2. Trustees Dan Dugger and Brian McDevitt voted against the motion.

Attorney Bonni Jensen then advised the Board they needed to hire an attorney that would be responsible for presenting the case to the Hearing Officer. There was some brief discussion on hiring Attorney Richelle Levy who had recently represented the Board in a prior matter. Chairman Jason Llopis made a motion to hire Richelle Levy as the attorney to present the case to the Hearing Officer. The motion was seconded by Trustee Russell Faine. The motion passed unanimously with no board members opposing the motion.

Attorney Bonni Jensen then advised the Board they needed to address the petitions filed by Attorney Ralph King which requested the proposed agency actions be reversed and rescinded.

After a brief discussion Chairman Jason Llopis made the motion to not dismiss the case against Phillip Anitco. The motion was seconded by Trustee Russell Faine. The motion passed 3-2. Trustees Dan Dugger and Brian McDeavitt voted against the motion.

Chairman Jason Llopis then made a motion to not dismiss the case against Michael Brown. The motion was seconded by Trustee Russell Faine. The motion passed 3-2. Trustees Dan Dugger and Brian McDevitt voted against the motion.

After the motions were passed there was some discussion among the Trustees about a deadline as to if they decide to rescind their decision on retaining the Hearing Officer. Attorney Bonni Jensen advised the Board she had to send notification off by October 28th, 2020. This would require another special meeting and would have to be requested by one of the Board members that voted for the motion to request a Hearing Officer.

PLAN ADMINISTRATOR REPORT:

NONE:

NEW/UNFINISHED BUSINESS

NONE:

ADJOURN:

The meeting was adjourned at 2:07 PM.

Next Regular Scheduled Meeting: November 10, 2020 at 10:30 AM.



Jason Llopis, Chairman
FOR THE BOARD