

1 Introduced by Council Member White:
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4 **ORDINANCE 2026-320**

5 AN ORDINANCE REGARDING THE JACKSONVILLE POLICE
6 AND FIRE PENSION BOARD OF TRUSTEES; AMENDING
7 SECTIONS 22.02 (MEMBERSHIP) AND 22.12
8 (RETIREMENT FOR BOARD EMPLOYEES) OF ARTICLE 22
9 (JACKSONVILLE POLICE AND FIRE PENSION BOARD OF
10 TRUSTEES) OF THE CHARTER OF THE CITY OF
11 JACKSONVILLE; REPEALING PART 5 (FINANCIAL
12 INVESTMENT AND ADVISORY COMMITTEE) AND PART 6
13 (ETHICS, FIDUCIARY RESPONSIBILITIES AND BEST
14 PRACTICES), CHAPTER 121 (POLICE AND FIREFIGHTERS
15 PENSION PLAN), *ORDINANCE CODE*, IN THEIR
16 ENTIRETY; AMENDING SECTIONS 121.105
17 (PENSIONER'S RIGHTS UPON REEMPLOYMENT BY CITY)
18 AND 121.117 (EXECUTIVE DIRECTOR-ADMINISTRATOR),
19 PART 1 (POLICE AND FIRE PENSION FUND
20 ADMINISTRATION), CHAPTER 121 (POLICE AND
21 FIREFIGHTERS PENSION PLAN), *ORDINANCE CODE*;
22 CREATING A NEW SECTION 121.119 (FIDUCIARY AND
23 ETHICAL STANDARDS), PART 1 (POLICE AND FIRE
24 PENSION FUND ADMINISTRATION), CHAPTER 121
25 (POLICE AND FIREFIGHTERS PENSION PLAN),
26 *ORDINANCE CODE*, AMENDING SECTION 121.304
27 (FORFEITURE, DISQUALIFICATION AND RECOVERY OF
28 PENSION BENEFITS FOR FRAUDS COMMITTED ON OR TO
29 THE POLICE AND FIRE PENSION FUND AND FOR OTHER
30 ACTS WHICH COULD RESULT IN THE LOSS OF CITY
31 PENSION BENEFITS), PART 3 (MISCELLANEOUS

1 BENEFITS), CHAPTER 121 (POLICE AND FIREFIGHTERS
2 PENSION PLAN), ORDINANCE CODE, TO UPDATE NON-
3 BENEFIT RELATED GOVERNANCE ISSUES PERTAINING TO
4 THE JACKSONVILLE POLICE AND FIRE PENSION BOARD
5 OF TRUSTEES AND THE POLICE AND FIREFIGHTERS
6 PENSION PLAN; AUTHORIZING THE MAYOR, OR HER
7 DESIGNEE, AND THE CORPORATION SECRETARY TO
8 EXECUTE, DELIVER AND FILE THAT CERTAIN AMENDMENT
9 TO THE 2015 RETIREMENT REFORM AGREEMENT BETWEEN
10 THE CITY OF JACKSONVILLE AND THE JACKSONVILLE
11 POLICE AND FIRE PENSION FUND BOARD OF TRUSTEES;
12 PROVIDING FOR CODIFICATION INSTRUCTIONS;
13 PROVIDING AN EFFECTIVE DATE.

14
15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Amending Sections 22.02 (Membership) and 22.12**
17 **(Retirement for board employees) of Article 22 (Jacksonville Police**
18 **and Fire Pension Board of Trustees) of the Charter of the City of**
19 **Jacksonville.** Sections 22.02 (Membership) and 22.12 (Retirement for
20 board employees) of Article 22 (Jacksonville Police and Fire Pension
21 Board of Trustees) of the Charter of the City of Jacksonville, are
22 hereby amended to read as follows:

23 **CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA**

24 * * *

25 **ARTICLE 22. - JACKSONVILLE POLICE AND FIRE PENSION BOARD OF**
26 **TRUSTEES**

27 * * *

28 **Section 22.02. - Membership.**

29 (a) The membership of the Jacksonville Police and Fire Pension
30 Board of Trustees shall consist of five members, of whom
31 two shall be legal residents of the City of Jacksonville

1 appointed by the city council; one shall be a police
2 officer elected by a majority vote of the police officers
3 who are members of the pension fund, and one shall be a
4 firefighter elected by a majority of the firefighters who
5 are members of the pension fund, and the last shall be
6 chosen by a majority of the previous four members. The
7 fifth member's name shall be submitted to the City Council,
8 which shall, as a ministerial act, appoint such person as
9 the fifth member of the board. Each ~~Effective for all new~~
10 ~~appointments after July 1, 2005,~~ each resident member shall
11 serve as a trustee for a period of 4 years, unless sooner
12 replaced by the City Council at whose pleasure he or she
13 shall serve, and may succeed himself or herself as a
14 trustee. The ~~Effective for all elections after July 1,~~
15 ~~2005,~~ the police officer and firefighter members shall
16 serve as trustees for a period of 4 years, unless they
17 shall sooner leave the employment of the city as a police
18 officer or firefighter, whereupon the class of employees
19 whose elected representative has left office shall elect a
20 successor to fill the unexpired term of office as provided
21 for in this section. Each employee member may succeed
22 himself or herself in office. The term of the fifth member
23 shall be for 4 years. Members shall continue to serve until
24 their respective successors are appointed, elected, or
25 selected. Trustees chosen and appointed by the City
26 Council, as well as any persons selected as the fifth
27 member of the Trustees by the other four trustees, shall
28 continue to be persons with professional financial
29 experience and/or public pension experience, governance
30 experience, institutional investment experience, community
31 experience and wisdom, or comparable professional

1 training, knowledge, and expertise. ~~Trustees chosen and~~
2 ~~appointed by the City Council shall not be a participant~~
3 ~~or be enrolled in a City of Jacksonville pension, shall be~~
4 ~~limited to a maximum of two four year terms, and shall have~~
5 ~~at least 10 years of professional financial experience.~~

6 * * *

7 **Sec. 22.12. Retirement for board employees.**

8 ~~(a) The board is hereby prohibited from creating any pension or~~
9 ~~other retirement plan, and the board is hereby prohibited from~~
10 ~~administering any pension or retirement plan other than the~~
11 ~~Jacksonville Police and Fire Pension Fund.~~

12 ~~(b) The board is hereby prohibited from offering to any of its~~
13 ~~employees any retirement plan other than the General Employees~~
14 ~~Pension Plan or the General Employees Defined Contribution Plan.~~

15 ~~(c) The employees of the board are authorized to join the~~
16 retirement plan offered by the City of Jacksonville to its
17 general employees. The board cannot use funds contrary to the
18 limitations set forth in section 212.055(9), Florida Statutes
19 ~~General Employees Pension Plan or the General Employees Defined~~
20 ~~Contribution Plan.~~

21 **Section 2. Repealing Part 5 (Financial Investment and**
22 **Advisory Committee) and Part 6 (Ethics, Fiduciary Responsibilities**
23 **and Best Practices), Chapter 121 (Police and Firefighters Pension**
24 **Plan), Ordinance Code, in their entirety.** Part 5 (Financial
25 Investment and Advisory Committee) and Part 6 (Ethics, Fiduciary
26 Responsibilities and Best Practices), Chapter 121 (Police and
27 Firefighters Pension Plan), *Ordinance Code*, are hereby repealed in
28 their entirety. Copies of the repealed Parts 5 and 6, Chapter 121,
29 *Ordinance Code*, have been placed **on file** with the Legislative Services
30 Division.

31 **Section 3. Amending Sections 121.105 (Pensioner's rights**

1 upon reemployment by City) and 121.117 (Executive Director-
2 Administrator), Part 1 (Police and Fire Pension Fund Administration),
3 Chapter 121 (Police and Firefighters Pension Plan), Ordinance Code.

4 Sections 121.105 (Pensioner's rights upon reemployment by City) and
5 121.117 (Executive Director-Administrator), Part 1 (Police and Fire
6 Pension Fund Administration), Chapter 121 (Police and Firefighters
7 Pension Plan), Ordinance Code, are amended to read as follows:

8 **CHAPTER 121. POLICE AND FIREFIGHTERS PENSION PLAN.**

9 **PART 1. POLICE AND FIRE PENSION FUND ADMINISTRATION.**

10 * * *

11 **Sec. 121.105. - Pensioner's rights upon reemployment by City.**

12 * * *

13 ~~(c) The provisions of subsection (a) through (c) shall not~~
14 ~~apply to the re-employment of any pensioner retiree of the~~
15 ~~Jacksonville Police and Fire Pension Fund as a temporary~~
16 ~~police officer or temporary fire fighter if:~~

17 ~~(1) the re-employment assists the emergency response~~
18 ~~associated with Emergency Executive~~
19 ~~Proclamation 2020-001 issued by the Mayor on~~
20 ~~March 13, 2020; and~~

21 ~~(2) in the case of temporary police officers, the~~
22 ~~Sheriff has determined that the Emergency has~~
23 ~~caused, or is likely to cause, a significant~~
24 ~~reduction in the number of full-time police~~
25 ~~officers available for duty and temporary police~~
26 ~~officers are needed to provide sufficient law~~
27 ~~enforcement and police services to the City of~~
28 ~~Jacksonville; or~~

29 ~~(3) in the case of temporary fire fighters, the~~
30 ~~Director/Fire Chief has determined that the~~
31 ~~Emergency has caused, or is likely to cause, a~~

1 ~~significant reduction in the number of full-time~~
2 ~~fire fighters available for duty and temporary~~
3 ~~fire fighters needed to provide adequate Fire~~
4 ~~and Rescue services to the City of Jacksonville.~~

5 ~~The re-employment of such pensioner retirees shall be~~
6 ~~at the pleasure of the Sheriff for temporary police~~
7 ~~officers and the Director/Fire Chief for temporary~~
8 ~~fire fighters, and may continue until 60 days after~~
9 ~~the expiration of Emergency Executive Proclamation~~
10 ~~2020-001, or any extension thereof.~~

11 ~~To be eligible for re-employment as a temporary police~~
12 ~~officer, a pensioner retiree must have a current~~
13 ~~Florida Department of Law Enforcement law enforcement~~
14 ~~officer certification. To be eligible for re-~~
15 ~~employment as a temporary fire fighter, a pensioner~~
16 ~~retiree must have a current Florida fire fighter and~~
17 ~~emergency medical technician certification.~~

18 ~~Being employed as a temporary police officer or~~
19 ~~temporary fire fighter shall not prevent a pensioner~~
20 ~~retiree of this pension plan from continuing to~~
21 ~~receive such retirement benefits as would be~~
22 ~~available pursuant to the pension plan had the retiree~~
23 ~~not been re-employed as a temporary police officer or~~
24 ~~temporary fire fighter. Being employed as a temporary~~
25 ~~police officer or temporary fire fighter pursuant to~~
26 ~~this subsection (c) shall not permit or require a~~
27 ~~pensioner retiree of this plan to be a member of the~~
28 ~~pension plan created pursuant to this Chapter 121 or~~
29 ~~a member of one of the pension plans created by Part~~
30 ~~II or III of Chapter 120. Being employed as a~~
31 ~~temporary police officer or temporary fire fighter~~

1 ~~pursuant to this subsection (e) shall not permit a~~
2 ~~pensioner retiree to acquire or accrue any rights or~~
3 ~~benefits provided to active and employed Members of~~
4 ~~this pension plan created pursuant to Chapter 121 or~~
5 ~~any one of the pension plans created pursuant to Part~~
6 ~~II or Part III of Chapter 120, including but not~~
7 ~~limited to, rights or benefits regarding time-service~~
8 ~~credits and benefits, disability, death, DROP, etc.~~

9 * * *

10 **Sec. 121.117. - Executive Director-Administrator.**

11 * * *

12 (b) As part of the selection of any future Board of Trustees'
13 Executive Director-Administrator, the aggregate
14 compensation of the Executive Director-Administrator shall
15 be determined in accordance with the market analysis of
16 comparably-sized public pension plans as noted in
17 subsection (a). The City and Board of Trustees shall ensure
18 that any future Executive Director-Administrator and any
19 senior management employee shall be placed in a pension or
20 other retirement plan or the retirement plan offered by
21 the City of Jacksonville to its general employees. The
22 board cannot use funds contrary to the limitations set
23 forth in section 212.055(9), Florida Statutes ~~either the~~
24 ~~City General Employees' Pension Plan or a defined~~
25 ~~contribution plan with the Board of Trustees' employer~~
26 ~~contribution subject to the limits of federal law.~~

27 **Section 4. Creating Section 121.119 (Fiduciary and Ethical**
28 **Standards), Part 1 (Police and Fire Pension Fund Administration),**
29 **Chapter 121 (Police and Firefighters Pension Plan), Ordinance Code.**

30 A new Section 121.119 (Fiduciary and Ethical Standards), Part 1
31 (Police and Fire Pension Fund Administration), Chapter 121 (Police

1 and Firefighters Pension Plan), *Ordinance Code*, is hereby created to
2 read as follows:

3 **CHAPTER 121. POLICE AND FIREFIGHTERS PENSION PLAN.**

4 **PART 1. POLICE AND FIRE PENSION FUND ADMINISTRATION.**

5 * * *

6 **Sec. 121.119. - Fiduciary and Ethical Standards.**

7 The Board shall comply with and be bound by the requirements set
8 forth in Part III, Chapter 112, Florida Statutes, and the fiduciary
9 standards set forth in Chapters 175 and 185, Florida Statutes.

10 **Section 5. Amending Section 121.304 (Forfeiture,**
11 **disqualification and recovery of pension benefits for frauds**
12 **committed on or to the Police and Fire Pension Fund and for other**
13 **acts which could result in the loss of City pension benefits), Part**
14 **3 (Miscellaneous Benefits), Chapter 121 (Police and Firefighters**
15 **Pension Plan), *Ordinance Code*.** Section 121.304 (Forfeiture,
16 disqualification and recovery of pension benefits for frauds
17 committed on or to the Police and Fire Pension Fund and for other
18 acts which could result in the loss of City pension benefits), Part
19 3 (Miscellaneous Benefits), Chapter 121 (Police and Firefighters
20 Pension Plan), *Ordinance Code*, is amended to read as follows:

21 **CHAPTER 121. POLICE AND FIREFIGHTERS PENSION PLAN.**

22 * * *

23 **PART 3. MISCELLANEOUS BENEFITS.**

24 * * *

25 **Sec. 121.304 - Forfeiture, disqualification and recovery of pension**
26 **benefits for frauds committed on or to the Police and Fire Pension**
27 **Fund and for other acts which could result in the loss of City pension**
28 **benefits.**

29 (a) Any Member, Qualified Member or Beneficiary of the Police
30 and Fire Pension Fund who:

31 (1) Is found guilty by verdict of a jury; or

- 1 (2) Is found guilty by a court trying the case without a
2 jury, or
- 3 (3) Entered a plea of guilty or nolo contendere,
4 regardless of whether the Member is adjudicated
5 guilty; or
- 6 (4) Commits a fraud, as defined by section 175.195 185.185
7 or 112.3173, Florida Statutes, ~~Has been found~~
8 ~~administratively to be guilty by the Police and Fire~~
9 ~~Pension Fund Board of Trustees after an~~
10 ~~administrative hearing; of committing a fraud on or~~
11 ~~to the Pension Fund, or aiding or abetting the~~
12 ~~commission of any fraud on or to the Pension Fund,~~
13 ~~shall forfeit or be disqualified from all benefits~~
14 ~~provided by the Pension Fund and shall be required to~~
15 ~~reimburse the Pension Fund for any funds or benefits~~
16 ~~wrongfully received.~~

17 ~~(b) In furtherance of the purposes of subsection (a) (4) of this~~
18 ~~Section, the Pension Fund's Administrator is empowered to~~
19 ~~investigate any perceived fraud upon the Pension Fund, and~~
20 ~~the Board is empowered to conduct such administrative~~
21 ~~hearings as are appropriate to determine if fraud has been~~
22 ~~perpetrated upon the Pension Fund as provided in subsection~~
23 ~~(a) (4) of this Section, or if the circumstances described~~
24 ~~in subsections (a) (1), (2), and (3) of this Section, apply~~
25 ~~to any Member or Beneficiary.~~

26 ~~(c) Any administrative hearing conducted in furtherance of the~~
27 ~~purposes of subsections (a) and (b) of this Section shall~~
28 ~~be conducted in accordance with generally accepted rules~~
29 ~~of administrative procedure and with due regard for the~~
30 ~~due process rights of the Member or Beneficiary. Any~~
31 ~~determination by the Board to impose a forfeiture upon, or~~

1 ~~to disqualify the Member or Beneficiary from benefits, or~~
2 ~~finding that the Member or Beneficiary is indebted to the~~
3 ~~Pension Fund for any funds or benefits wrongfully received,~~
4 ~~shall be supported by the greater weight of the evidence~~
5 ~~and by written findings of facts and conclusions of law.~~
6 ~~Any decision of the Board resulting in a forfeiture of, or~~
7 ~~disqualification from benefits, or finding that the Member~~
8 ~~or Beneficiary is indebted to the Pension Fund for any~~
9 ~~funds or benefits wrongfully received, shall be subject to~~
10 ~~review by petition for common law certiorari to the Circuit~~
11 ~~Court of the Fourth Judicial Circuit. Any decision of the~~
12 ~~Board finding that as a result of a fraud perpetrated upon~~
13 ~~the Pension Fund, a Member or Beneficiary is indebted to~~
14 ~~the Pension Fund in a specified sum may be enforced through~~
15 ~~a civil action in the Circuit Court of the Fourth Judicial~~
16 ~~Circuit.~~

17 (b~~e~~) For the purpose of this Section, the term "Member" shall
18 refer to an active, contributing Member of the Police or
19 Fire Departments who is accumulating benefits; the term
20 "Qualified Member" shall refer to an active employee who
21 has elected to participate in the Deferred Retirement
22 Option Program and the term "Beneficiary" shall refer to
23 any retired Member, surviving spouse, minor child or other
24 person permitted by law to receive benefits under the fund.

25 (d~~e~~) Violations under F.S. § 112.3173, felonies involving breach
26 of public trust and other specified offenses by public
27 officers and employees; forfeiture of retirement benefits.

28 (1) Definitions. As used in this subsection, unless
29 context otherwise requires, the term:

30 (i) Conviction and convicted mean an
31 adjudication of guilt by a court of

1 competent jurisdiction; and plea of guilty
2 or of nolo contendere; a jury verdict of
3 guilty when adjudication of guilt is
4 withheld and the accused is placed on
5 probation; or a conviction by the Senate
6 of an impeachable offense.

7 (ii) Court means any State or federal court of
8 competent jurisdiction which is exercising
9 its jurisdiction to consider a proceeding
10 involving the alleged commission of a
11 specified offense.

12 (iii) Public officer or employee means an officer
13 or employee of the City of Jacksonville who
14 is a Member of the Fund.

15 (iv) Public retirement system means the
16 Jacksonville Police and Fire Pension Fund.

17 (v) Specified offense means:

18 (A) The committing, aiding, or abetting
19 of an embezzlement of public funds;

20 (B) The committing, aiding, or abetting
21 of any theft by a public officer or
22 employee from his or her employer;

23 (C) Bribery in connection with the
24 employment of a public officer or
25 employee;

26 (D) Any felony specified in Chapter 838,
27 except Sections 838.15 and 838.16;

28 (E) The committing of any felony by a
29 public officer or employee who,
30 willfully and with intent to defraud
31 the public or the public agency for

1 which the public officer or employee
2 acts or in which he or she is employed
3 of the right to receive the faithful
4 performance of his or her duty as a
5 public officer or employee, realizes
6 or obtains, or attempts to realize or
7 obtain, a profit, gain, or advantage
8 for himself or herself or for some
9 other person through the use or
10 attempted use of the power, rights,
11 privileges, duties, or position of
12 his or her public office or employment
13 position.

14 * * *

15 **Section 6. Authorization to Execute Amendment and File with**
16 **the Court.** The Mayor, or her designee, and the Corporation Secretary
17 are hereby authorized to execute, deliver and file with the federal
18 court, an amendment to the 2015 Retirement Reform Agreement Revised
19 on June 9, 2015, By the City of Jacksonville and the Jacksonville
20 Police and Fire Pension Fund Board of Trustees, consistent with the
21 changes set forth in this Ordinance.

22 **Section 7. Codification Instructions.** The Codifier and the
23 Office of General Counsel are authorized to make all chapter and
24 division "table of contents" consistent with the changes set forth
25 herein. Such editorial changes and any other changes necessary to
26 make the *Ordinance Code* consistent with the intent of this legislation
27 are approved and directed herein, and the changes to the *Ordinance*
28 *Code* shall be made forthwith and when inconsistencies are discovered.

29 **Section 8. Effective Date.** This Ordinance shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

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Form Approved:

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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