



Office of the City Attorney

Phone: (954) 746-3300

Fax: (954) 746-3307

Thomas P. Moss
City Attorney

Navin A. Ramnath
Deputy City Attorney

Robert M. Ruiz
Assistant City Attorney

January 31, 2025

Via Certified Mail, Return Receipt, E-Mail and U.S. Mail

Custodian of Public Records
Sunrise Police Officers' Retirement Plan
13790 NW 4 Street, Suite 105
Sunrise, Florida 33325

and

Plan Administrator, David M. Williams
Precision Pension Administration
Sunrise Police Officers' Retirement Plan
13790 NW 4 Street, Suite 105
Sunrise, Florida 33325

Re: Notice of Non-Compliance with Chapter 119, Florida Statutes

Dear Mr. Williams:

This letter constitutes notice, pursuant to sections 119.12 and 119.0701(3) and (4), Florida Statutes, to the Board of Trustees (Board) of the City of Sunrise Police Officers' Retirement Plan, and its contracted Plan Administrator that the Board and the Plan Administrator have failed to comply with the City's requests for public records, as further described herein. Florida law requires the City to notify the public agency (the Board) and the contractor (the Plan Administrator) in possession of public records of the failure to comply with the public records request.

Letter to David M. Williams
January 31, 2025
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It was brought to the City's attention that on November 18, 2024, Lieutenant Mike West, former Chair of the Board, attended the Sunrise Police Officers' Retirement Plan Board Meeting. According to meeting attendees, Lieutenant Mike West made aggressive, derogatory, coarse, and false statements on the record, during the meeting. The statements made by Mr. West to the City-appointed Board Members were described by attendees as inappropriate, insulting, disrespectful, and disgusting, which is contrary to the City of Sunrise City Code Section 10-2, Rules and regulations for employees.

The City made a public records request for the complete audio recording for the November 18, 2024 Sunrise Police Officers' Retirement Plan Board meeting from the Pension Plan Administrator; however, the audio recording was provided to the City in two parts, effectively excluding the statements made by Lieutenant Mike West. The meeting was never recessed or adjourned, so the public record for this meeting should have been the complete audio recording from the beginning of the meeting to the end of the meeting, not a portion, or selected portions, thereof. This failure of the Pension Plan Administrator to produce the requested records is a violation of Florida's Public Records Act.

On behalf of the City, I am requesting that the full audio recording of the Sunrise Police Officers Retirement Plan Board Meeting of November 18, 2024, be provided to the City of Sunrise Director of Human Resources, Jami Ketchup, immediately. The email address for Ms. Ketchup is jketchup@sunrisefl.gov.

Pursuant to sections 119.12 and 119.0701, Florida Statutes, if all requested records are not provided within eight (8) days of receipt of this Notice, the City intends to use all legal means to enforce compliance with Florida's Public Records Act by the Board and/or the Pension Plan Administrator, as required.

Sincerely,



Thomas P. Moss
City Attorney

Cc: Mark S. Lubelski, City Manager
Richelle Levy, Esq., Pension Plan Attorney
Jami Ketchup, Director of Human Resources



101 N.E. THIRD AVENUE, SUITE 1800
FORT LAUDERDALE, FLORIDA 33301
(954) 462-8000
www.loriumlaw.com

February 7, 2025

VIA EMAIL: TMoss@Sunrisefl.gov

Thomas Moss, City Attorney
Mark Lubelski, City Manager
City of Sunrise Florida
10770 West Oakland Park Boulevard
Sunrise, Florida 33351

Re: City of Sunrise Police Officers' Retirement Plan

Dear Mr. Moss,

I write in response to your letter dated January 31, 2025 and directed to Mr. Dave Williams, Plan Administrator of the City of Sunrise Police Officers' Retirement Plan (the "Plan"). You state that the purpose of this letter is to notify the Board that they have failed to comply with the City's public record request for the audio recording of the Pension Board meeting which took place on November 18, 2024. As you state in your letter, the request was made and complied with immediately on November 22, 2024 in a response containing the audio to Ms. Jamie Ketchup. Upon review of the audiotape, it became apparent that there were technical difficulties at various points in the meeting however the entirety of the audio tape was provided to you and I have attached the link again.

As I am sure you are aware, Public Records Law does not require that the pension board meetings be recorded but does require that minutes be taken. Therefore, I have also included the draft of the meeting minutes. These minutes have not been reviewed or approved by the Board and I will provide the final minutes after the Board has authorized. Please let me know if there are any other questions or concerns.

Sincerely,

Richelle Levy

Richelle Levy

cc. David Williams, Plan Administrator
Board of Trustees, City of Sunrise Police Officers' Retirement Fund

Letter dated 9/6/2024
Response to Thomas Moss, City Attorney