

**BOARD OF TRUSTEES
HOLLYWOOD POLICE RETIREMENT SYSTEM**

In re Application of John Chidsey
to Make a Third Change of Beneficiary

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**FINAL ADMINISTRATIVE ORDER DENYING
REQUEST TO DESIGNATE THIRD BENEFICIARY**

This matter came before the Board of Trustees at its regular meeting on November 19, 2021, subject to public notice.

Retired police officer, John Chidsey, had previously changed his named beneficiary on two prior occasions. Following the death of his former spouse, Chidsey requested to make a third change to add his new spouse. For the reasons which follow, despite the Board's sympathies in the matter, the law governing the plan compels that the request must be denied.

Florida Statutes, Section 185.161(1), subsections b and c govern this request. Under subsection 1b, a police officer (meaning an active member) may change his beneficiary more than twice with the Board's permission, provided that the beneficiary being replaced is alive. Subsection 1c governs requests by retired police officers. This section permits replacement of a beneficiary who is deceased, but a retired member may only change beneficiaries on two occasions. Unlike subsection b, subsection c does not empower the Board to grant additional changes.

Nothing in the Hollywood City Code grants additional authority to the Board beyond the standards specified in Chapter 185, Florida Statutes. The Board, as a creature of statute, is obligated to manage the plan in accordance with its governing law. *City of Miami v. City of Miami Firefighters' and Police Officers' Retirement Trust*, 249 So. 3d 709 (Fla. 3d DCA 2018). Accordingly, Mr. Chidsey's request to name a new beneficiary is denied.

DONE AND ORDERED at Hollywood, Broward County, Florida, this 22nd day of November, 2021.

DocuSigned by:

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Chairperson

Filed with the Administrator/Clerk of the Board this 22nd day of November, 2021.

DocuSigned by:

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Administrator/Clerk of the Board

NOTICE OF APPELLATE RIGHTS

THIS IS A FINAL ADMINISTRATIVE ORDER DENYING YOUR REQUEST TO NAME A NEW BENEFICIARY. YOU MAY SEEK JUDICIAL REVIEW OF THIS ORDER BY FILING A PETITION FOR COMMON LAW CERTIORARI IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT AS PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.100. FAILURE TO SEEK JUDICIAL REVIEW WITHIN 30 DAYS OF THE DATE THIS ORDER IS FILED WITH THE ADMINISTRATOR/CLERK OF THE BOARD WILL WAIVE ANY FURTHER REVIEW.