
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
FRIDAY – MAY 26, 2016

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held May 26, 2016, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

ABSENT: Trustees Hauser, Summers 2.

PRESIDING: Vice President and Trustee Brian Wright

Trustee Wright called the meeting to order.

The first order of business was review and approval of the Minutes of the last regular meeting of the Retirement Board held April 22, 2016.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the minutes from the regular meeting held April 22, 2016.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

Review of the draft minutes from the Investment Committee Meeting held May 20, 2016, was completed. Various edits were requested.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the minutes, as amended.

ROLL CALL

For: Brown, Avila, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

Trustee Wright requested adoption of Board orders as submitted by the Board's legal counsel.

In the matter of **Kenneth Wojtan**, pursuant to 40 ILCS 5/5-214, the Officer's request does not qualify for the prior service sought, and his request was denied.

It was moved by Trustee Avila, seconded by Trustee Maloney that the Board adopt the order on Kenneth Wojtan as submitted.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

MINUTES CONTINUED

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In the matter of **Lourdes Nieves**, on her application for an occupational disease disability benefit, the Board finds that Officer Nieves did not establish that she was disabled by reason of a heart condition, but the medical records indicate she is unable to return to duty due to non-heart related issues. Therefore, the Board awarded ordinary disability benefits.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board adopt the order on Lourdes Nieves as submitted.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

In the matter of **Jeffrey Caribou**, pursuant to 40 ILCS 5/5-214.2, this member failed to meet the application deadline to qualify for the prior service sought, and his request was denied.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board adopt the order on Jeffrey Caribou as submitted.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

The Vice President turned the meeting over to the Recording Secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of May 2016.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

7 - 13 Refunds of Contributions; Withdrawal of Service, Revised Withdrawal of Service, Widow's Annuity Accumulations; and Revised Widow's Annuity Accumulations.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the Refunds as detailed on pages 7 through 13.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

14 -15 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Payment to Heirs of Deceased Annuitants as detailed on pages 14 and 15.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

MINUTES CONTINUED

April 22, 2016

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PAGE NO. REFERENCE

16 Refund of Unused Annuity Accumulations

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Refund as detailed on page 16.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

17 - 19 Annuities [Summary pg. 20]

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 17 through 19.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

21 Annuities - Revised

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the Revised Annuities as detailed on page 21.

ROLL CALL

For: Avila, Hamburger, Lappe, Maloney, Wright 5.

Absent: Brown, Hauser, Summers 3.

Against: 0.

WHEREUPON, Trustee Brown entered the proceedings

22 - 23 Annuities to Widows [Summary pg. 24]

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the Annuities to Widows as detailed on page 22 and 23, with approval for the Executive Director to determine a payment plan for Gisela Rivera, widow of Joaquin, to recapture previously overpaid annuity amounts.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

25 Annuities to Widows – Revised

It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the Revised Annuities to Widows as detailed on page 25.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

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26 Annuities to Children – *Revised*
It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the Revised Annuities to Children as detailed on page 26.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

27 Ordinary Disability Application
 a) **Janda, Liane I.**

The medical documentation on this application was reviewed by the Board members.

It was moved by Trustee Wright, seconded by Trustee Brown that the Board defer all benefits pending a full evidentiary hearing.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

28 Duty Disability Application
 b) **Lipman, Matthew J.**

The medical documentation on this application was reviewed by the Board members.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board grant the officer subject to a full evidentiary hearing an ordinary disability benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if it is deemed warranted.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

 c) **Weitzman, Joshua C.**

The medical documentation on this application was reviewed by the Board members.

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board grant the officer subject to a full evidentiary hearing an ordinary disability benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if it is deemed warranted.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

29 - 30 Payment of Death Benefits [Summary pg. 31]

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 29 and 30.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

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MISCELLANEOUS

32 CLAIM FOR CHILD DISABILITY BENEFITS
 Dovin, George M.

Documentation verified, *it was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the child disability benefit as detailed on page 32.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

33 GUARDIANSHIP APPOINTMENT
 Miller, Sr., Earl L.

Documentation verified, *it was moved by Trustee Avila, seconded by Trustee Hamburger that the Board acknowledge the guardianship appointment as detailed on page 33.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

34 REQUESTS FOR PENSION CREDIT FOR PRIOR COOK COUNTY
 SERVICE UNDER 5-214 (c)

Documentation verified, *it was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the requests to purchase prior Cook County Service as detailed on page 34.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

35 REQUESTS FOR PENSION CREDIT FOR PRIOR MILITARY
 SERVICE UNDER 5-214.3

Documentation verified, *it was moved by Trustee Hamburger, seconded by Trustee Brown that the Board approve the requests to purchase prior military service as detailed on page 35.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

General Agenda completed.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board go into executive session pursuant to Section 2 (c)(11).

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

MINUTES CONTINUED

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It was moved by Trustee Avila, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

HEARINGS

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36 REQUEST FOR PENSION CREDIT FOR PRIOR SERVICE

Perry, LaDonna

Officer Perry appeared, without counsel, on her request for pension credit for prior service. Board counsel reviewed with Officer Perry the procedures of an administrative hearing, along with her right to have an attorney present. Officer Perry agreed to proceed without counsel. After hearing testimony and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board deny the request to purchase pension credit for prior service in accordance with the provisions of the Pension Act.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney 5.

Absent: Hauser, Summers 2.

Against: Wright 1.

The duty disability benefits of **Ronnie Miller** were reviewed.

Based on correspondence and documents that the Fund received, *it was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board terminate Ronnie Miller's duty disability benefit effective June 30, 2016.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

The duty disability benefits of **Lionel Dones** were reviewed.

Based on correspondence and documents that the Fund received, *it was moved by Trustee Lappe, seconded by Trustee Maloney that the Board terminate Lionel Dones' duty disability benefit effective June 30, 2016.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

DUTY DISABILITY STATUS REVIEW

37 **Harris, Charleston**

Charleston Harris appeared before the Board, without counsel, on his duty disability status review. Board counsel reviewed with Officer Harris the procedures of an administrative hearing, along with his right to have an attorney present. Officer Harris agreed to proceed without counsel. After hearing testimony from the member and discussion of surgery scheduled for June 22, 2016, *it was moved by Trustee Wright, seconded by Trustee Lappe that the Board defer Officer Harris' duty disability status review until September 2016..*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

MINUTES CONTINUED

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PAGE NO. REFERENCE
DUTY DISABILITY STATUS REVIEW, continued

38 **Mohedano, Robert**

Attorney for Officer Mohedano appeared before the Trustees to request a continuance on this matter to the August meeting of the Board.

It was moved by Trustee Avila, seconded by Trustee Maloney that the Board grant the continuance requested.

ROLL CALL

For: Avila, Brown, Lappe, Maloney, Wright 5.

Absent: Hauser, Summers 2.

Against: Hamburger 1.

39 **Moore, George**

George Moore appeared before the Board, with counsel, on his duty disability status review. After reviewing the documents submitted, *it was moved by Trustee Lappe, seconded by Trustee Brown that the Board, in light of Officer Moore's recent surgery in March of this year which requires a 6-8 month recovery period, continue this matter to October 2016.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

40 **Smith, Joseph**

Attorney for Officer Smith appeared before the Trustees to request a continuance on this matter to the July meeting of the Board.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board grant the continuance requested.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

41 **Wilson, Greta**

Greta Wilson appeared before the Board, with counsel, on her duty disability status review. After hearing testimony from the member, reviewing the documents submitted and hearing testimony from the Board's consulting physician, *it was moved by Trustee Avila, seconded by Trustee Maloney that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

The Board indicated that Officer Greta Wilson will remain on duty disability and be re-evaluated in one year.

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42 DUTY DISABILITY CLAIMS

Alessi, Christine L.

Christine L. Alessi appeared before the Board, with counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, reviewing the documents submitted, and hearing testimony from the Board's consulting physician, *it was moved by Trustee Lappe, seconded by Trustee Maloney, that the Board grant a duty disability benefit to Christine Alessi.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board go into executive session per 2 (c) (11).

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

42 DUTY DISABILITY CLAIMS

Roberts, Jr., Alonzo E.

Alonzo Roberts, Jr., appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, reviewing the documents submitted, and hearing testimony from the Board's consulting physician, *it was moved by Trustee Maloney, seconded by Trustee Lappe, that the Board grant a duty disability benefit to Alonzo E. Roberts, Jr. for the period September 19, 2014, through June 30, 2016.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Lappe that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

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43 OCCUPATIONAL DISEASE DISABILITY CLAIM

Mendoza, Manuel

Manuel Mendoza appeared before the Board, with counsel, on his occupational disease disability application. After hearing testimony from claimant, reviewing the documents submitted, and hearing testimony from the Board's consulting physician, *it was moved by Trustee Lappe, seconded by Trustee Maloney that the Board award Manuel Mendoza an occupational disease disability benefit.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- Lengthy discussion of Senate Bill 0440 was held, including the significant terms of the Bill. At this time, no further action, including an impact study on the provisions of the Bill, were requested by the Board.
- As a point of information, Board counsel completed the confidentiality agreement with the Fraternal Order of Police (FOP) concerning certain data requested on the Fund's membership, as the FOP inquires on potential post-retirement healthcare vendors. In accordance with the signed agreement, the Fund shall supply all the information the FOP requested.
- The Board physician reviewed the medical status of various disability recipients. Per the Board physician's recommendation the following actions were taken:

It was moved by Trustee Brown, seconded by Trustee Avila that the Board approve the recommended additional testing, FCEs and/or IMEs on disability recipients reviewed with the Board's physician.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

- The Director requested approval for the fee required on self-certification permit acquisition for the recently hired architects for the Fund office remodeling.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the estimated expense associated with the permit acquisition.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

- The Director requested approval and legal review by the Board's attorney, of a 'letter of understanding' between the Fund and Morneau Shepell, which is the administrator of enrollment and healthcare changes for the retiree healthcare plans sponsored by the City of Chicago. Currently the Fund's staff provides, on a weekly basis, to the Benefit's Management Office of the City of Chicago (BMO) various documents relevant to retired members' health insurance applications, copies of Medicare cards, birth certificates, death certificates, etc. The City then forwards these documents to Morneau Shepell, for enrollment changes. The Director wishes to provide the required documentation identified directly to Morneau Shepell, in order to assist in timely processing of enrollments and changes to coverage. BMO would continue to receive the same documents. The Board agreed to the proposed change in procedures and proposed agreement.

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- The Fund's CIO requested approval for travel expenses for two trips. One would be mid-June with expenses of approximately \$600 for airfare and hotel. The second would be at the end of July, involving four cities, requiring approximately \$1500 for airfare and hotels. Ms. Devitt explained that the goal of these trips is to meet Investment Managers in the Fund's portfolio, along with prospective managers.

It was moved by Trustee Maloney, seconded by Trustee Lappe that the Board approve the travel expenses for the Fund's CIO as presented.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

- The last item for Board approval is a subscription the Board's attorney has requested for himself and his assistant to WestLaw, which is provided by Thomson Reuters. Approximate annual cost is \$2,562.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the subscription as requested by the Board's attorney.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board go into executive session per 2 (c) (11).

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.

All business concluded for this date, May 26, 2016, *it was moved by Trustee Lappe, seconded by Trustee Brown that this meeting be adjourned.*

ROLL CALL

For: Avila, Brown, Hamburger, Lappe, Maloney, Wright 6.

Absent: Hauser, Summers 2.

Against: 0.