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**MINUTES OF THE PROCEEDINGS**  
**REGULAR MEETING**  
**OF THE**  
**RETIREMENT BOARD OF THE POLICEMEN'S**  
**ANNUITY & BENEFIT FUND**  
**HELD**  
**THURSDAY – JULY 26, 2018**

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The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund (the Fund) was held July 26, 2018, at 9:30 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 Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

ABSENT: Caldero, Summers 2.

PRESIDING: President Hauser

President Hauser called the meeting to order.

The first order of business was review and approval of the Minutes for the Regular Board meeting held June 28, 2018.

*It was moved by Trustee Wodnicki, seconded by Trustee Wright that the Board approve the Minutes of June 28, 2018, as submitted.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

The next order of business was review and adoption of the orders by the Board as submitted by the Board's counsel.

In the matter of **Ronald P. Dybas**, "the Board finds that Dybas is not presently disabled; therefore, Dybas' application for an occupational disease disability benefit is denied and Dybas is directed to return to the CPD for assignment". *It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board approve the order regarding Ronald Dybas.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

The President turned the meeting over to the Recording Secretary. Review of the agenda was as follows:

PAGE NO.      REFERENCE

1 - 5              Incurred Expenses for the Month of July 2018.

*It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the obligations as detailed on pages 1 through 5.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

6 - 8              Refunds of Contributions; Withdrawal of Service, Widow's Annuity  
Accumulations, and Exempt Rank.

*It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the Refunds as detailed on pages 6 through 8.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

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9 - 10              Payment to Heirs of Deceased Annuitants

*It was moved by Trustee Hauser, seconded by Trustee Brown that the Board approve payments to heirs of deceased annuitants as detailed on pages 9 and 10.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

11                    Payment to Heirs of Deceased Annuitants – *Retroactive amounts due*

*It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the payment to heirs of deceased annuitants as detailed on page 11.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

12 - 14              Annuities [Summary on page 15]

*It was moved by Trustee Hauser, seconded by Trustee Brown that the Board approve the Annuities as detailed on pages 12 through 14.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

16                    Annuities - *Revised*

*It was moved by Trustee Hauser, seconded by Trustee Brown that the Board approve the Revised Annuities as detailed on page 16.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

17                    Annuities to Widows [Summary on page 18]

*It was moved by Trustee Hauser, seconded by Trustee Brown that the Board approve the Annuities to Widows as detailed on page 17.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

19                    Annuities to Children

*It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the Annuities to Children as detailed on page 19.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:            Caldero, Summers 2.

Against:          0.

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20                    Ordinary Disability Claim

                      a) **Robertson, Kathy**

*Based on the medical reports, it was moved by Trustee Brown, seconded by Trustee Hamburger that the Board grant Officer Kathy Robertson an ordinary disability benefit.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:           Caldero, Summers 2.

Against:          0.

21 - 23             Payments of Death Benefits [Summary on page 24]

*It was moved by Trustee Hauser, seconded by Trustee Brown that the Board approve payments of the death benefits as listed on pages 21 through 23, excluding those to the beneficiaries of **Robert G. Connolly** and **Paul M. McGraw** in accordance with 40 ILCS 5/5-153.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:           Caldero, Summers 2.

Against:          0.

LEAVES

25                    REQUESTS FOR PENSION CREDIT FOR LEAVE OF ABSENCE MILITARY SERVICE  
                          USERRA AND 40 ILCS 5/5-212

*Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the requests to purchase leave of absence military service as detailed on page 25.*

ROLL CALL

For:                Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:           Caldero, Summers 2.

Against:          0.

MISCELLANEOUS

26                    2018 REQUIRED FUNDING RESOLUTION FOR THE YEAR 2019

*Drafted document reviewed and discussed, it was moved by Trustee Hamburger, seconded by Trustee Brown, that the Board approve the resolution as submitted and detailed on page 26.*

ROLL CALL

For:                Brown, Hamburger 2.

Absent:           Caldero, Summers 2.

Against:          Beyna, Hauser, Wodnicki, Wright 4.

MOTION FAILS

*It was then moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the resolution with "recognizing the statutory limitations imposed" language added.*

ROLL CALL

For:                Beyna, Hauser, Wodnicki, Wright 4.

Absent:           Caldero, Summers 2.

Against:          Brown, Hamburger 2.

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PAGE NO.      REFERENCE

27                      REQUESTS FOR PENSION CREDIT FOR PRIOR COOK  
                                 COUNTY SERVICE UNDER 40 ILCS 5/5-214(c)

*Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the requests to purchase prior Cook County service as detailed on page 27.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.  
Absent:                Caldero, Summers 2.  
Against:              0.

28                      REQUESTS FOR PENSION CREDIT FOR PRIOR MILITARY  
                                 SERVICE UNDER 40 ILCS 5/5-214.3

*Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the requests to purchase prior military service as detailed on page 28.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.  
Absent:                Caldero, Summers 2.  
Against:              0.

29                      SECOND REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE  
                                 **Santiago, Elizabeth**

*After reviewing the documentation presented, it was moved by Trustee Hauser, seconded by Trustee Beyna, that the Board deny Officer Santiago's second request to purchase prior service in accordance with statutory guidelines.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.  
Absent:                Caldero, Summers 2.  
Against:              0.

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

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.  
Absent:                Caldero, Summers 2.  
Against:              0.

*It was moved by Trustee Brown, seconded by Trustee Hauser that the Board exit the executive session.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.  
Absent:                Caldero, Summers 2.  
Against:              0.

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HEARINGS

30                      REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE

**Ciaravino, Anthony G.**

Officer Ciaravino failed to appear before the Board on his request to purchase pension credit for prior service.

*It was moved by Trustee Brown, seconded by Trustee Hamburger that the Board defer Officer Ciaravino's request for pension credit for prior service, until such time Officer Ciaravino indicates his desire to complete his petition.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:                Caldero, Summers 2.

Against:              0.

DISABILITY HEARINGS

31                      ORDINARY DISABILITY CLAIM

**Larkins, Lance P.**

Officer Lance P. Larkins appeared before the Board, with counsel, on his claim for an ordinary disability benefit. After hearing testimony from Officer Larkins and reviewing the medical reports and documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Brown that the Board deny the claim for an ordinary disability benefit.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:                Caldero, Summers 2.

Against:              0.

DUTY DISABILITY STATUS REVIEW

32                      **Latsos, George W.**

George W. Latsos appeared, without counsel, before the Board on a status review of his disability. Board counsel reviewed with Officer Latsos the procedures of an administrative hearing, along with his right to have an attorney represent him. Officer Latsos agreed to proceed without legal representation. After hearing testimony from Officer Latsos and review of a medical document submitted at this hearing by Officer Latsos, *it was moved by Trustee Brown, seconded by Trustee Wright that the Board enter into executive session per 2 (c) (11).*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:                Caldero, Summers 2.

Against:              0.

*It was moved by Trustee Wright, seconded by Trustee Beyna that the Board exit the executive session.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:                Caldero, Summers 2.

Against:              0.

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DUTY DISABILITY STATUS REVIEW, Continued

32

**Latsos, George W.**

Hearing on this status review resumed. Testimony was taken from Sergeant Janet Kemper of the CPD Medical Section. Additional testimony was taken from Officer Latsos and review of the records submitted in this case was completed.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that based upon the medical information submitted, the Board terminate George W. Latsos' duty disability benefits effective August 31, 2018, and direct him to the Chicago Police Department for reinstatement to duty.*

ROLL CALL

For:            Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:        Caldero, Summers 2.

Against:      0.

33

**McClendon, Jennifer L.**

Counsel for Probationary Officer McClendon appeared before the Board and requested a continuance on her disability status review.

*It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board grant a continuance of a minimum of 60 days to Jennifer L. McClendon, with continued suspension of benefits.*

ROLL CALL

For:            Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:        Caldero, Summers 2.

Against:      0.

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

ROLL CALL

For:            Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:        Caldero, Summers 2.

Against:      0.

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

ROLL CALL

For:            Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:        Caldero, Summers 2.

Against:      0.

34

DUTY DISABILITY CLAIMS

**Zamora, Carlos A.**

Officer Carlos A. Zamora appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from Officer Zamora and reviewing the medical reports and documents submitted, *it was moved by Trustee Beyna, seconded by Trustee Wodnicki that the Board award Officer Zamora a duty disability benefit.*

ROLL CALL

For:            Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:        Caldero, Summers 2.

Against:      0.

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PAGE NO.      REFERENCE

34                      DUTY DISABILITY CLAIMS, Continued

**Zamora, Carlos A. (Continued)**

*It was then moved by Trustee Beyna, seconded by Trustee Wright that the Board grant the duty award at 75% of salary as defined in the Pension Statutes.*

ROLL CALL

For:                    Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent:                Caldero, Summers 2.

Against:              0.

**Svec, Beth A.**

Detective Beth A. Svec appeared before the Board, with counsel, on her claim for a disability benefit.

WHEREUPON: Trustee Wodnicki recused himself from the proceedings in this matter.

Board counsel indicated that while Detective Svec has made application for a duty disability benefit, the Board reserves the duty claim for a later date pending conclusion on a few matters, and is considering the ordinary disability benefit at this hearing.

After hearing testimony from Detective Svec and reviewing the medical reports and documents submitted, *it was moved by Trustee Beyna, seconded by Trustee Wright that the Board grant the officer, subject to a subsequent 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:                    Beyna, Brown, Hamburger, Hauser, Wright 5.

Absent:                Caldero, Summers 2.

Against:              0.

Abstain:              Wodnicki 1.

The Executive Director reviewed with the Board the following matters.

Officer **David A. Soltis** is currently in receipt of disability benefits. Executive Director Tuczak received a letter from him and his treating physician that his current medical condition includes aggressive chemotherapy. His diagnosis is life threatening and the prognosis is guarded. He lives in Florida, and has not seen Dr. Orris in 2018. Based on his medical condition, he is requesting not to travel to Chicago, Illinois, at this time. The Board collectively agreed to delay Officer Soltis' examination by Dr. Orris until a future date due to his medical condition.

Officers **Roberto Miranda** and **Dennis O'Connell** are both officers that are in receipt of duty disability benefits. They attended their exams with Dr. Orris. As part of each exam, Dr. Orris requested they bring medical records to support their continuing disability, and they have not supplied any documents. A letter was directed to each of them requesting all medical records and notes from their respective primary care physicians and treating neurologists from the last year to ensure continuation of duty disability benefits. They were to supply the records by July 15, 2018. The records have not been received by staff at the Fund.

Following Board policy, it is recommended that benefits be suspended effective August 1st until these records be supplied to Fund staff.

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*It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board suspend disability benefits for Roberto Miranda and Dennis O'Connell until the requested reports are submitted.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

There was review of another member in receipt of duty disability benefits, **Richard R. Mint**. Based upon the most recent exam by Dr. Orris, the Board's consulting physician, a Functional Capacity Evaluation (FCE) is recommended.

*It was moved by Trustee Beyna, seconded by Trustee Wodnicki that the Board approve a FCE for disability recipient Richard Mint.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

Director Tuczak reviewed with the Trustees the timeline for this year's election for two trustee positions. One position is for the annuitant representative and the other is for the member that represents the rank of Investigator, Patrolman or ranks equivalent thereto. The sufficiency Board hearing, at which a quorum must be present, is scheduled for Friday – October 5, 2018, at 9:30am. Based upon the current election rules, some amendments to the rules are necessary to accommodate the exact dates of this election and others in the past. Ms. Tuczak discussed the proposed amendments to the election rules and distributed a copy of the proposed amendments to each Trustee. Specifically, language is to be added indicating that specific dates and the schedule for each respective election will be established by the Board in accordance with the rules, and the word "approximately" will be added where certain dates are mentioned, which would afford some flexibility on the dates.

*It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board approve the requested amendments to the Board Rules for Conducting an Election, as detailed and discussed.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

The next issue concerned the Fund's acceptance of requests from retired members to have deductions from their pension checks for healthcare programs outside of the coverage administered by the City of Chicago. As part of this process, the Fund must have a signed authorization on file to deduct the premiums from the pension disbursement. There are approximately fifty annuitants for whom the Fund's staff is deducting a premium, but a signed authorization is not on file. These individuals have received multiple requests for authorization, including a Final Notice sent in March. After thorough discussion, it was agreed that another Final Notice be sent indicating that the deduction will cease August 1, if no authorization is received. The Board requested that staff track all attempts to contact the annuitants impacted.

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Ms. Tuczak turned the floor over to Board counsel, Justin Kugler. The Fund reviewed this matter earlier in the year regarding the passing of a widow “Collins”, whose death occurred some two years ago, resulting in overpayment of benefits after date of death through the date the Fund learned of the death. A letter was directed to certain family members with contact information at the Fund requesting information and reimbursement of the overpayment. Such attempt received no response. The Board then instructed counsel to redirect communication with notice that the matter potentially may be handed over to the proper authorities if reimbursement is not completed. Justin Kugler informed the Board that the Fund very recently recaptured \$5,000.00 towards the overpayment, with an agreement to pay \$1,000.00 each month until the \$14,000.00 is paid. With the Board’s approval, a letter memorializing this payment and the agreement to future payments will be sent, thereby the authorities shall not be contacted if the agreement is fulfilled.

*It was moved by Trustee Wodnicki, seconded by Trustee Hamburger that the Board approve the Collins’ family repayment plan as presented by Board counsel.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

The last item from the Executive Director, Ms. Tuczak, was distribution of hard copies of the December 31, 2017, actuarial valuations and the CAFR that were recently finalized and published. Copies are also available on the Fund’s website.

The Fund’s Chief Investment Officer, Aoifinn Devitt, reviewed with the Board a few matters as an Investment Committee meeting was not held in the month of July.

- Investment performance of the Fund’s portfolio was discussed, noting that through June 30, 2018, the Fund’s performance is essentially flat. Performance of the Fund’s equity, fixed income, private credit, hedge fund and long-short equity portfolios were briefly discussed. The benefits of the rebalancing completed earlier in the year were discussed.
- Ms. Tuczak discussed the current cash position of the Fund, noting the cash available to fund July benefits. Significant increases in cash are expected with the upcoming tax receipt collections due in August.

President Hauser requested approval to attend two conferences; Illinois Public Pension Fund Association’s (IPPFA) Mid-America Pension Systems Conference, October 2-5, 2018, and National Conference on Public Employee Retirement Systems (NCPERS) Public Safety Conference October 28-31, 2018.

*It was moved by Trustee Wright, seconded by Trustee Brown that the Board approve any Trustee wanting to attend the IPPFA Conference October 2-5, 2018.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve any Trustee wanting to attend the NCPERS Conference October 28-31, 2018.*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

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*It was moved by Trustee Beyna, seconded by Trustee Wright that the Board enter into executive session per 2 (c) (11).*

ROLL CALL

For: Beyna, Brown, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Caldero, Summers 2.

Against: 0.

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

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.

All business concluded for this date, July 26, 2018, *it was moved by Trustee Wright, seconded by Trustee Hamburger that this meeting be adjourned.*

ROLL CALL

For: Beyna, Hamburger, Hauser, Wodnicki, Wright 5.

Absent: Brown, Caldero, Summers 3.

Against: 0.