
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
HELD
THURSDAY – FEBRUARY 28, 2019

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago (the "Fund") was held 9:00 a.m. February 28, 2019 at the office of the Fund, 221 North LaSalle Street, Suite 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 Deposition Solution LLC Court Reporters and are made a part of the record.

PRESENT: Trustees Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

ABSENT: Brown, Summers 2.

PRESIDING: President Beyna

OTHERS PRESENT:

Mr. Kenneth Kaczmarz, Interim Executive Director, Ms. Caroline Vullmahn, Comptroller, Mr. David Kugler, Board Counsel, Mr. Justin Kugler, Legal Counsel, Dr. Peter Orris, Board Physician, and Staff Members Mr. Robert Crawford, Ms. Kay Hylton, Mr. Peter Kim and Ms. Carol Vega.

PUBLIC IN ATTENDANCE:

Ms. Catherine Carrillo, Ms. Rosemarie Giambalvo, and Mr. Gary Oprondek, Annuitants, Mr. Carlos Saladino, FOP Representative, and Mr. Patrick Smith, WBEZ.

President Beyna called the meeting to order.

The first order of business was the review of the Minutes of the Regular Board meeting held January 31, 2019. *It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Minutes of January 31, 2019, as submitted.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The next order of business was review of the Minutes of the Investment Committee meeting held February 25, 2019.

It was moved by Trustee Wodnicki, seconded by Trustee Wright that the Board approve the Minutes of the Investment Committee meeting held February 25, 2019, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

In the matter of **Andre Howard**, "The Board finds that Howard's medical condition is not now disabling as disability is defined in the Act. Payment of Howard's duty disability benefits will therefore cease on February 28, 2019, and Howard is directed to return to the CPD for assignment."

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the order on Andre Howard, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.
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In the matter of **Roberto Miranda**, through communication with this officer, the Board has been notified, that he has begun the reinstatement process, but it appears that he would not be reinstated until sometime in April. President Beyna requested, based on the information provided, that the date duty disability benefits shall cease is April 30, 2019, to enable Roberto Miranda sufficient time for reinstatement to the Chicago Police Department.

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve amending the date benefits shall cease for Roberto Miranda.

ROLL CALL

For: Beyna, Fields, Lappe, Wodnicki, Wright 5.

Absent: Brown, Summers 2.

Against: Hamburger 1.

"The Board finds that Miranda's medical condition is not now disabling as disability is defined in the Act. Payment of Miranda's duty disability benefits will therefore cease on April 30, 2019, and Miranda is directed to return to the CPD for assignment."

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the order on Roberto Miranda, as submitted with the amended date benefits shall cease.

ROLL CALL

For: Beyna, Fields, Hamburger Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

In the matter of **Brian Warner**, "The Board finds that Warner's medical condition is not now disabling as disability is defined in the Act. Payment of Warner's duty disability benefits will therefore cease on January 31, 2019, and Warner is awarded an ordinary disability benefit effective February 1, 2019."

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the order on Brian Warner, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 5.

Absent: Brown, Summers 2.

Against: 0.

President Beyna recapped that the Board had finalized and agreed upon the contracts with the two legislative liaison firms selected.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the hiring and the contracts as reviewed on 1) All-Circo Inc. with John Kelly, and 2) Vision MAI Consulting with Bukola Bello.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

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1 - 5 Incurred Expenses for the Month of February 2019.

It was moved by Trustee Wodnicki, seconded by Trustee Lappe that the Board approve the Obligations as detailed on pages 1 through 5.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

6 - 10 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations,
and Exempt Rank.

It was moved by Trustee Beyna, seconded by Trustee Fields that the Board approve the Refunds as detailed on pages 6 through 10.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

11 - 12 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve payments to heirs of deceased annuitants as detailed on pages 11 and 12.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

13 Refund of Unused Annuity Accumulations

It was moved by Trustee Hamburger, seconded by Trustee Fields that the Board approve refund of unused annuity accumulations as detailed on page 13.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

14 Refunds of Annual Increase Contributions (*retire with less than 20 yrs.*)

It was moved by Trustee Hamburger, seconded by Trustee Fields that the Board approve refund detailed on page 14.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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15 - 23 Annuities [Summary pg. 24]

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the Annuities as detailed on pages 15 through 23.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

25 Annuities - Revised

It was moved by Trustee Beyna, seconded by Trustee Fields that the Board approve the Revised Annuities as detailed on page 25.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

26 - 27 Annuities to Widows [Summary pg. 28]

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the Annuities to Widows as detailed on pages 26 and 27.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

29 Annuities to Widows - Revised

It was moved by Trustee Fields, seconded by Trustee Wodnicki that the Board approve the Revised Annuities to Widows as detailed on page 29.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

30 Annuities to Children

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the annuities to children as detailed on page 30.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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31 Annuities to Children - Revised

It was moved by Trustee Wodnicki, seconded by Trustee Hamburger that the Board approve the revised annuities to children as detailed on page 31.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

32 Duty and Occupational Disease Disability Claims

a) O'Reilly, Shannon M. ♥

Based upon the medical reports, it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board move to grant the officer subject to a full evidentiary hearing an ordinary benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

33 - 35 Payment of Death Benefits [Summary pg. 36]

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the applications for death benefits as listed on pages 33 through 35.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

LEAVES

37 REQUESTS FOR PENSION CREDIT FOR MILITARY LEAVE OF ABSENCE
SERVICE UNDER USERRA AND 5-212

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the request to purchase military leave of absence as detailed on page 37.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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MISCELLANEOUS

38 GUARDIANSHIP APPOINTMENT
 Anderson, Gene A.

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board acknowledge the guardianship appointment as detailed on page 38.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

39 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR COOK COUNTY
 SERVICE UNDER 5-214 (c)

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the purchase of pension credit for prior service as detailed on page 39.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

40 REQUEST FOR PENSION CREDIT FOR PRIOR LAW ENFORCEMENT
 SERVICE UNDER 5-214.2

Documentation reviewed, it was moved by Trustee Lappe, seconded by Trustee Wodnicki that the Board approve the request to purchase prior service as detailed on page 40, as the legislative deadlines have been met.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Lappe that the Board approve the request to purchase prior military service as detailed on page 41.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, 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, Fields, Hamburger, Lappe, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

An attendee from the Public, Rosemarie Giambalvo, requested to address the Retirement Board. President Beyna afforded her an opportunity to address the Retirement Board. Ms. Giambalvo proceeded to direct questions to Board counsel, Mr. David Kugler.

The Board requested Ms. Giambalvo to submit her questions to the Retirement Board via a Freedom of Information request, as a Board meeting, however open to the Public, is not the correct forum for making inquiries.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

*It was moved by Trustee Wright, seconded by Trustee Fields, in the matter of **Bruce L. Jackson**, a disability recipient who failed to appear at a schedule medical evaluation, shall have the 'no-show' fee charge to the Fund deducted from his disability benefit.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

HEARINGS

42 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE

Ramirez, Stephanie L.

Stephanie Ramirez appeared before the Board on her application to receive pension credit for prior service. After hearing testimony and reviewing documentation presented, *it was moved by Trustee*

Wright, seconded by Trustee Wodnicki based on the facts of this claim and testimony provided that the Board approve purchase of the prior service credit as detailed on page 42.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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DISABILITY HEARINGS

43 DUTY DISABILITY CLAIMS

Hawkins, Brian

Sergeant Brian Hawkins appeared, with counsel, before the Board his claim for a duty disability benefit. After hearing testimony from Sgt. Hawkins, his witnesses Fred Waller and Scott Dedore and reviewing the documents submitted *it was moved by Trustee Wright, seconded by Trustee Lappe that the board award Sgt. Brian Hawkins a duty disability benefit.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was then moved by Trustee Wright, seconded by Trustee Lappe that the board award the duty disability benefit at 75 percent of salary as defined in the Pension Act.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

Strelczyk, Greg

Officer Strelczyk appeared, with counsel, before the Board his claim for a duty disability benefit. After hearing testimony and reviewing the documents submitted *it was moved by Trustee Lappe, seconded by Trustee Wright that the board award Officer Greg Strelczyk a duty disability benefit.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was then moved by Trustee Lappe, seconded by Trustee Wright that the board award the duty disability benefit at 75 percent of salary as defined in the Pension Act, for the period October 16, 2018 through January 14, 2019.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

DUTY DISABILITY STATUS REVIEWS

44 **McClendon, Jennifer**

Legal counsel for Jennifer McClendon appeared before the Board on this status review. The Board is continuing this matter to the March 2019 Retirement Board meeting as it is waiting for a response from the Chicago Police Department.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the board continue this matter for a final continuance to March 28, 2019.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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DUTY DISABILITY STATUS REVIEWS - CONTINUED

45

McNamara, Thomas

Officer McNamara appeared, with counsel, before the Board on his disability status review. After hearing testimony from Thomas McNamara, Sgt. Janet Kemper of the Chicago Police Department – Medical Section, and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Lappe that the board go into executive session per 2 (c)(11).*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the board terminate Officer Thomas McNamara's duty disability benefits effective March 31, 2019.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

Trustee Hamburger amended her motion to reflect termination of Thomas McNamara's benefit effective April 30, 2019, Trustee Wright seconded the amendment to the motion.

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

Before the next case, it was moved by Trustee Hamburger, seconded by Trustee Wright that the board go into executive session per 2 (c)(11).

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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DUTY DISABILITY STATUS REVIEWS - CONTINUED

46 **Saladino, Michael**

Sergeant Michael Saladino appeared, with counsel, on his disability status review. After brief questioning and reviewing current documents submitted *it was moved by Trustee Wright, seconded by Trustee Lappe that the board reinstate the previously suspended duty disability benefits to Sgt. Michael Saladino.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

47 **Swain, Jennifer**

Counsel for Jennifer Swain appeared before the Board on her disability status review. After reviewing the medical documents submitted, *it was moved by Trustee Wright, seconded by Trustee Lappe that the Board, based on the medical records, grant a continuance and defer this matter to the August 2019, Board meeting.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the board go into executive session per 2 (c)(11).

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- Introduced two staff members in attendance this date; Carol Vega an application specialists and Peter Kim, a calculations specialist.

- Working with staff and about completed the process of writing job descriptions for every staff member. A drafted organizational chart for the entire office was distributed to the Board for review.

President Beyna informed the Board that there have been a couple of articles written up for the executive director search in 'Pensions and Investments'. Mr. Beyna also requested any suggestions before the ad posting for the position was published. A committee of the whole will review the applications submitted.

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All business concluded for this date, February 28, 2019, *it was moved by Trustee Wright, seconded by Trustee Lappe that this meeting be adjourned.*

ROLL CALL

For: Beyna, Fields, Hamburger, Lappe, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.