



Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago

MINUTES

BOARD MEETING

THURSDAY – APRIL 27, 2023

Board Meeting Agenda
April 27, 2023, 9:00 A.M.

- 1) Roll Call
- 2) Requests from Members of the Public to Address the Board
- 3) Approval of Administrative Items
 - a) Approval of Minutes – Investment Meeting held March 20, 2023
 - b) Approval of Transcript – Investment Meeting held March 20, 2023
 - c) Approval of Minutes – Board Meeting held March 23, 2023
 - d) Approval of Minutes - Executive Session during Board Meeting held March 23, 2023
 - e) Approval of Transcript - Board Meeting held March 23, 2023
- 4) Consideration for Approval of Board Orders
 - a) Officer Heriberto Trevino, Jr. – Duty Disability Claim
- 5) Consideration for Approval of Benefit Applications and Expenses
- 6) Consideration for Approval of Applications for Disability / Reviews
 - a) Hearing for Officer Elisheba Marchbank – Duty Disability
 - b) Hearing for Officer Marc Iskowitz – Duty Disability
 - c) Hearing for Officer William Molina – Duty Disability
- 7) Consideration and Possible Action Regarding Physician's Recommendations
- 8) Consideration and Possible Action Regarding Application and Hearing Rules and Procedures
- 9) Legal Review*
 - a) In-process case report
 - b) Other
- 10) Other Business

*Topics may be discussed in closed session in accordance with the applicable Open Meetings Act provisions.

Board Members Present:

Melissa Conyears-Ervin*	Trustee
John Lally	Trustee
Mike Lappe	Trustee
Wayne Metcalfe	Trustee
Susie Park^*	Trustee
Stephen Skardon	Vice President
Michael Stiscak	President, Recording Secretary

Staff Present:

Kevin Reichart	Executive Director
Sarah Boeckman	Board Counsel
Kay Hylton	Benefits Manager
Bob Crawford	Disability Manager

Consultants and Advisors Present:

Dr. Susan Buchanan	Board Physician
Richard Reimer	Board Attorney/Hearing Officer
Deanna Jones^	NEPC

City of Chicago Office of the Treasurer Staff

City of Chicago Office of the Chief Financial Officer Staff

Public in Attendance:

Ralph Licari*	Attorney
Dianne M. Onichimowski*	Attorney
Elisheba Marchbank*	Police Officer, CPD
Marc Iskowitz *	Police Officer, CPD
William Molina*	Disability Recipient, CPD
Rosemarie Giambalvo	Retired, CPD
Tom Laughran	Retired, CPD

Other unidentified persons were in attendance.

^ Denote attendance virtually

*Denotes partial attendance

APPROVAL OF ADMINISTRATIVE ITEMS - continued

The next order of business was the review of the transcript of the Board Meeting held March 23, 2023. A motion to approve the transcript of the Board Meeting held March 23, 2023, was made by Trustee Skardon, seconded by Trustee Lappe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
Against: 0.
Absent: Bennett, Conyears-Ervin.

APPROVAL OF BOARD ORDERS

Officer Heriberto Trevino, Jr.

Duty Disability Claim

Board Counsel provided a draft order to the Board.

A motion to approve the Board Order as submitted for Officer Heriberto Trevino Jr. was made by Trustee Skardon, seconded by Trustee Lappe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
Against: 0.
Absent: Bennett, Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES

DOCKET: SCHEDULE I-A Incurred Expenses for the Month of April 2023

A motion to approve the Incurred Expenses as detailed on Schedule I-A was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
Against: 0.
Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE II-A Refunds and REVISED Refunds of Contributions

A motion to approve the Refunds as detailed on Schedule II-A was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
Against: 0.
Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE II-B Refunds of Surviving Spouse's Contributions

A motion to approve the Refunds as detailed on Schedule II-B was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
Against: 0.
Absent: Bennett, Conyears-Ervin.

CONSIDERATION FOR APPROVAL OF BENEFIT APPLICATIONS AND EXPENSES - continued

DOCKET: SCHEDULE IV Disability Benefits Continued - REVISED

A motion to approve the Revised Disability benefits as detailed on Schedule IV was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE V Payment of Death Benefits with a Summary

A motion to approve payment of the Death Benefits as indicated on Schedule V was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE VI PENSION CREDIT FOR LEAVES OF ABSENCE UNDER 40 ILCS 5/5-212)

Documentation review and discussion concluded. *A motion to approve the additional pension credit for other service under 40 ILCS 5/5-212 as detailed on Schedule VI was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE VII-A REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR LAW ENFORCEMENT SERVICE UNDER 40 ILCS 5/5-214.2

Documentation review and discussion concluded. *A motion to approve the request for child benefits to a disability recipient under 40 ILCS 5/5-154 as detailed on Schedule VII-A was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

DOCKET: SCHEDULE VII-B REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR MILITARY SERVICE UNDER 40 ILCS 5/5-214.3

Documentation verified, review and discussion concluded. *A motion to approve the request to purchase additional pension credit for prior military service under 40 ILCS 5/5-214.3 as detailed on Schedule VII-B was made by Trustee Skardon, seconded by Trustee Metcalfe.*

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

General docketed items completed.

HEARINGS

A motion to appoint Richard Reimer as the Hearing Officer for all disability cases scheduled to be heard at this meeting was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Park, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin.

Trustee Park left the proceedings

DOCKET: SCHEDULE VIII-A DUTY DISABILITY HEARING

Elisheba Marchbank

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Elisheba Marchbank. Officer Marchbank appeared before the Board, with counsel, on her claim for a duty disability benefit. The records and documents presented were reviewed and testimony was taken from claimant, and claimant’s physician, Dr. Emily Mayekar.

A motion to go into executive session pursuant to 5 ILCS 120/2(c)(4) was made by Trustee Skardon, seconded by Trustee Lally.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

A motion to return to open session was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

Trustee Conyears-Ervin joined the proceedings.

Claimant addressed the Board on a prior question posed to her earlier in her testimony concerning medical time usage during her CPD career.

A motion to commence and continue this matter for purposes of allowing Officer Marchbank to obtain the body cam videos and get those to the Board as expeditiously as possible was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

DOCKET: SCHEDULE VIII-A DUTY DISABILITY HEARING - continued

Marc Iskowitz

This hearing was conducted pursuant to Article 5 of the Illinois Pension Code concerning the disability claim of Officer Marc Iskowitz. Officer Iskowitz appeared before the Board, with counsel, on his claim for a duty disability benefit. The records and documents presented were reviewed and testimony was taken from claimant.

A motion to go into executive session pursuant to 5 ILCS 120/2(c)(4) was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

A motion to return to open session was made by Trustee Lally, seconded by Trustee Lappe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

A motion to go back into executive session pursuant to 5 ILCS 120/2(c)(4) was made by Trustee Lally, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

A motion to return to open session was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

A motion to commence and continue this matter for purposes of issuing a subpoena for various documents and records and a witness from Concentra; have Mr. Licari present the treatment records for any medical treatment received by the claimant after the issuance of Dr. Levin's last IME report was made by Trustee Skardon, seconded by Trustee Metcalfe.

ROLL CALL: For: Conyears-Ervin, Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Park.

Trustee Conyears-Ervin left the proceedings

DOCKET: SCHEDULE VIII-B DUTY DISABILITY STATUS HEARING

William Molina - Hearing

Officer Molina appeared before the Board, with counsel, on his disability status review. The records and documents presented were reviewed and testimony was taken from claimant and the Board's physician. This review was conducted pursuant to Article 5 of the Illinois Pension Code.

A motion to continue William Molina's disability benefits with a post-surgery follow-up in February 2024, was made by Trustee Lappe, seconded by Trustee Metcalfe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

CONSIDERATION AND POSSIBLE ACTION REGARDING PHYSICIAN'S RECOMMENDATIONS

A motion to approve the physician's recommendations was made by Trustee Lally, seconded by Trustee Skardon.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION AND HEARING RULES AND PROCEDURES

No Action taken

LEGAL REVIEW - IN-PROCESS CASES STATUS REPORT

Board's legal counsel Sarah Boeckman provided a report, which was included in the materials provided previously to the Board for review.

A motion to go back into executive session pursuant to 5 ILCS 120/2(c)(11) was made by Trustee Skardon, seconded by Trustee Lally.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

A motion to return to open session was made by Trustee Skardon, seconded by Trustee Lappe.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

A motion to authorize filing an appeal in the case captioned Whitmer v. Retirement Board of the Policemen's Annuity and Benefit Fund of the City of Chicago, Case No. 22 CH 11076 pending before Judge Cohen was made by Trustee Skardon, seconded by Trustee Lappe. The Judge reversed the Board's decision and there's a fee petition pending.

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.

OTHER BUSINESS

SHORT-TERM INVESTING OF CASH-ON-HAND

Executive Director Reichart informed the Board regarding short-term investing which was discussed at April's Investment meeting. HGK Asset Management has invested \$235M on a short-term basis, with staggered maturities such that funds will be available to make pension benefit payments at the end of May, June, and July, respectively.

ACTUARIAL IMPACT STUDY

At the March Board meeting, the Board approved engaging our actuary, GRS, to conduct a cost impact study regarding Senate Bill 1631, which would change the COLA for the members hired prior to January 1, 2011, eliminating the birthday restriction on the COLA. GRS completed that study and the draft report was circulated to the Board. The Fund's lobbyist, Derek Blaida, has been following the status of the bill.

All business concluded *a motion to adjourn was made by Trustee Skardon, seconded by Trustee Lally.*

ROLL CALL: For: Lally, Lappe, Metcalfe, Skardon, Stiscak.
 Against: 0.
 Absent: Bennett, Conyears-Ervin, Park.