IN THE MATTER OF MEETING NO. 1086

STENOGRAPHIC REPORT OF PROCEEDINGS had at the audio/video conference meeting of the above-entitled matter, held at 20 South Clark Street, Suite 300, in the City of Chicago, County of Cook, State of Illinois, on May 17, 2021, commencing at the hour of 8:30 a.m.

## APPEARANCES

BOARD MEMBERS:

DANIEL FORTUNA, President and Annuitant Trustee

ROBERT TEBBENS, Active Trustee
WILLIAM MURPHY, Secretary and Active Trustee
TIMOTHY MCPHILLIPS, Active Trustee
MELISSA CONYEARS-ERVIN, City Treasurer
RESHMA SONI, City Comptroller
ANNETTE NANCE-HOLT, Active Trustee
ATTORNEYS FOR THE BOARD:
BURKE, BURNS AND PINELLI, LTD.
BY: MR. VINCENT PINELLI MS. MARY PATRICIA BURNS

ALSO PRESENT:
SARAH BOECKMAN, Interim Executive Director LORI LUND, Deputy Director
LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller JOHN CONNESS, Fund Accountant MARC TORRES, IT Analyst
MARK MYSLINSKI, City Treasurer's Office MICHAEL I. PETERS, M.D., Board Physician

CHAIRMAN FORTUNA: Please call the roll. MS. BOECKMAN: I am happy to do it.

President Fortuna.

CHAIRMAN FORTUNA: Here.
MS. BOECKMAN: Trustee Tebbens.

MEMBER TEBBENS: Here.
MS. BOECKMAN: Commissioner Nance-Holt.

MEMBER NANCE-HOLT: Present.
MS. BOECKMAN: Congratulations, ma'am.
MEMBER NANCE-HOLT: Thank you.
MS. BOECKMAN: Trustee Murphy.

MEMBER MURPHY: Here.
MS. BOECKMAN: Trustee Soni.
MEMBER SONI: Here.
MS. BOECKMAN: Trustee McPhillips.
MEMBER MCPHILLIPS: Here.
CHAIRMAN FORTUNA: We have a quorum.
Before $I$ go into my comments this
morning, I'd like to just to say congratulations to Commissioner Nance-Holt. It was a very historic appointment and I know you're going to do a great job as Commissioner so congratulations.

MEMBER NANCE-HOLT: Thank you, President Fortuna. I appreciate the support. Thank you.

CHAIRMAN FORTUNA: Public Act 101-0640 allows this meeting to be conducted by audio and video conference. The Act requires a roll call vote on each matter acted upon.

Further consistent with Public Act 101-0640, for the record $I$ am physically present at the Fund's office as is the Interim Executive Director. The Board Secretary is not in attendance today. He is the video. We have posted notice of this meeting in accordance with the Open Meetings Act and the meeting is being recorded. A transcript of the proceedings will be prepared and ultimately, after approval, will be made available on the Fund's website.

Consistent with Public Act 91-0715 and reasonable constraints determined by the Board of Trustees, at each regular meeting of the Board or its committees that is open to the public, members of the public may request a brief time to address the Board on relevant matters within it jurisdiction.

Are there any requests for public comment today?

Trustee Murphy, hearing none, please move
on.
MEMBER MURPHY: First, we would like to turn to the Approval of Administrative Items.

Approval of Minutes. Regular Audio Meeting April 23, 2021 open and closed minutes.

We have the Regular Audio Meeting transcript of April 23, 2021.

Regular Audio Meeting April 28, 2021 and open and closed minutes and the Regular Audio Meeting transcript of April 28, 2021.

I would like to make a motion to approve the open minutes, the audio transcript, and the closed session for the April $23 r d$ and the April 28, 2021 meetings and to keep those the closed session minutes closed on the recommendation of counsel.

MEMBER SONI: Second.
CHAIRMAN FORTUNA: Thank you. There is as a motion by Trustee Murphy. Seconded by Trustee Soni. Any discussion?

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving to the next item Minimum Formula Annuities. I'd like to make a motion to approve the Minimum Formula Annuities starting with Member 14808 and ending with Member 16084 .

I'd like to note that Commissioner Ford is in this group and I'd like to congratulate him on his retirement.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There is a motion to approve by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Moving on to Item C,
Survivor Annuities and Widow's Annuities. I'd like to make a motion to approve the Widow Annuities starting with Member 07772 through Member 08954.

MEMBER TEBBENS: Second.
CHAIRMAN FORTUNA: There is a motion by Trustee Murphy. Seconded by Trustee Tebbens. Trustee Murphy.

MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving to Item D,
Refunds. I'd like to make a motion to approve the

Refunds for Member 16652 through 18582.

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: Motion by Trustee
Murphy. Seconded by Trustee McPhillips.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And I am a yes.
Motion carries.

MEMBER MURPHY: Moving on to Item E,
Death Benefits. I'd like to make a motion to approve the Death Benefits for Member 07772 through

Member 08954.
MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There was a motion by Trustee Murphy. Seconded by Trustee Holt. Trustee Murphy. MEMBER MURPHY: Yes. CHAIRMAN FORTUNA: Trustee Holt. MEMBER NANCE-HOLT: Yes. CHAIRMAN FORTUNA: Trustee Soni. MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips. MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Moving on to Item F,
Partial Payments. I would like to make a motion to approve the Partial Payments beginning with Member 06102 and continuing through Member 07937.

MEMBER TEBBENS: Second.
CHAIRMAN FORTUNA: There is a motion by Trustee Murphy. Seconded by Trustee Tebbens. Trustee Murphy.

MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving on to Item G, Benefit Recalculations. Included in the board materials is an addendum setting forth the various cost of living adjustments to 3 percent pursuant to Public Act 101-0673.

Based on the Staff's representation that the matters set forth in the addendum are accurate and complete, $I$ would like to make a motion to approve an adjustment in the annuities for those members listed on the addendum.

MEMBER SONI: Second.
CHAIRMAN FORTUNA: There is a motion by Trustee Murphy. Second by Trustee Soni.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving to Item H,
Requests for Permission. Guardianship and Reside Out of State.

There are two guardianship matters.
Staff confirms that the appropriate documentation is on file for each of these matters. I make a motion to approve guardianship relating to Members 06393 and 08954 .

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: There is a motion by Trustee Murphy. Seconded by Trustee McPhillips. Trustee Murphy.

MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: There are also two
Requests to Reside Out of State for Members 15563 and 16293. I'd like to make a motion to approve those.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: Motion to approve by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips. MEMBER MCPHILLIPS: Yes. CHAIRMAN FORTUNA: Trustee Tebbens. MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving on to Item I,
Removals. I'd like to make a motion to approve Removals starting with William Janisch and ending with Carol Patzin.

MEMBER TEBBENS: Second.

CHAIRMAN FORTUNA: There is a motion to remove by Trustee Murphy. Seconded by Trustee Tebbens.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And I am a yes.
Motion carries.

MEMBER MURPHY: Moving on to Item 3,
Request for Approval of payments Pursuant to Administrative and Court Orders.

I would like to make a motion to approve the Administrative and Court Orders listed in the docket for Members 011807, 013834, 016652, 010426 and 013815 be approved.

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: There is a motion by
Trustee Murphy. Seconded by Trustee McPhillips.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.

MEMBER MURPHY: I would like to move to Item 4, which is the approval of the disability applications.

MR. PINELLI: Good morning, Mr.
Secretary. Good morning, Members of the Board. I believe we are ready to proceed. Is Mr. Kampwirth on the line?

MR. KAMPWIRTH: Yes.
MR. PINELLI: Firefighter Kampwirth, good morning, sir.

MR. KAMPWIRTH: Good morning, sir.
MR. PINELLI: Let the record reflect this is a hearing on the application for an Ordinary Disability benefit being made by Firefighter EMT John Kampwirth.

Good morning, sir. I am one of the attorneys for the Pension Fund. I will be conducting this hearing for the record.

I'd like to advise you of some preliminary matters before we start evidence.

First of all, $I$ believe from what $I$ have heard so far, I think there are six trustees currently present in the meeting to hear the evidence on your application. If you don't know
you should know that you need the yes vote of at least five of the six trustees in order to receive this benefit. Do you understand that?

MR. KAMPWIRTH: Yes.
MR. PINELLI: In addition, the record indicates you do not have an attorney representing you. Is it your desire to proceed today without an attorney?

MR. KAMPWIRTH: Yes.
MR. PINELLI: Lastly, it is the applicant's burden of proof to present sufficient evidence to the Board in order for the Board to grant the benefit you are seeking. Do you understand it is your burden of proof?

MR. KAMPWIRTH: Yes.
MR. PINELLI: By way of procedures, I am going to start by asking you some questions under oath. The board members may or may not have questions of you. Then $I$ will call one of the Fund's physician consultants to testify. If there is anything $I$ don't ask him, please just let me know and you will be given that opportunity. Do you understand the procedures?

MR. KAMPWIRTH: Yes.

MR. PINELLI: Very well then, we are ready to proceed. Could I have Mr. Kampwirth as well as Dr. Peters both raise your right hands? (Witness sworn.)

JOHN KAMPWIRTH, JR.
a witness herein, having been first duly sworn, was examined and testified as follows:

## EXAMINATION

BY MR. PINELLI:

Q Mr. Kampwirth, please state your name and spell your last name for the record.

A John Kampwirth, Jr. K-a-m-p-w-i-r-t-h.

Q Sir, what is your rank with the Fire Department?

A Firefighter EMT.

Q What was your last assignment before you went on layup?

A Engine 46 .

Q Now you should have received a copy of what has been marked as Board Exhibits 1 through 11 from the Fund staff. Did you receive those in advance of today's hearing?

A Yes.
Q Did you have an opportunity to review
them?
A Yes.

Q Do you have any objection to their
introduction into the record in support of your application?

A No.
MR. PINELLI: Thank you.
Mr. Chairman, I move for admission of Board Exhibits 1 through 11 without objection from the applicant.

CHAIRMAN FORTUNA: Admitted without objection.

MR. PINELLI: Thank you.
(Board Exhibits 1 through 11
were admitted into evidence.)
BY MR. PINELLI:
Q Now, Mr. Kampwirth, when did you enter service with the Fire Department?

A February 1, 2005.
Q According to the records we have, it looks like you are currently experiencing some illnesses/injuries that are preventing you from performing your work; is that correct?

A Yes.

Q These issues look like they basically relate to your lower body; your legs, your feet, ankle and so forth; is that correct?

A Yes.
Q You recently had a surgery done October 19th of 2020; is that correct?

A Yes.

Q Could you just describe for the board members currently what is your condition like as far as any limitations you have?

A As of right now, since the surgery, $I$ am still in a crawl walking boot. I have not put any weight on my foot without this boot on. I am starting to get around but $I$ still can't put no weight without the boot. And between that time I fractured my right ankle from putting too much stress on that one from not being able to use my left ankle at all so $I$ am still in $a$ boot and $I$ follow up with the doctor like every two weeks.

Q Okay, very well. Since you went on layup for this condition, have you engaged in any activities by which you earn income?

A No.
MR. PINELLI: Thank you, sir.
$\square$ witness.

CHAIRMAN FORTUNA: Trustees, any questions?

MEMBER MCPHILLIPS: No questions.
MR. PINELLI: Then $I$ would proceed to call Dr. Peters.
(Witness previously sworn.)
MICHAEL I. PETERS, M.D.
a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION
BY MR. PINELLI:
Q Sir, please state your name?
A Michael I. Peters.
Q What is your occupation?
A I am a physician.
Q As a physician, do you perform a function as a consultant to this fund?

A Yes, I do.
Q Does Dr. Samo also perform the same function for this fund?

A Yes, he does.
Q And do the two of you while performing
this function review medical records, examine or interview applicants and report to the Board?

A Yes, we do.
Q Did Dr. Samo undertake the interview of Mr. Kampwirth?

A Yes, he did.
Q Did he file a written report with the Board that is marked as Board Exhibit Number 2?

A Yes, he did.
Q To your knowledge, Dr. Samo was not able to appear on today's hearing date; is that correct?

A That is correct.
Q As a result of that, did you take the opportunity to review both the medical records, Board exhibits, as well as Doctor Samo's report in this matter?

A Yes, I did.
Q From your review of those records and reports, did it appear that the testimony that Mr . Kampwirth gave here today was consistent with what is contained in those medical records?

A Yes, his testimony is consistent with what is in the records.

Q Doctor, could you please summarize for us
what Dr. Samo's findings were with respect to his condition and his ability to perform his functions with the fire department?

A Firefighter Kampwirth suffers from peripheral venous insufficiency and a diagnosis of what is called a Charcoal Foot on the left side. And as a result of his progressive neurologic injury to that foot, he loses the ability to not only feel the foot but to know where the foot is in position in relation to his body. So that as he walks and puts weight on that foot, it causes very small amounts of trauma, that eventually lead to the destruction of the entire foot and ankle joint, which is what has occurred for him.

He has had surgery for that but the surgery was not successful and he probably will require additional treatments.

As he mentioned, he requires a rigid walking boot called a crawl boot specifically for this problem. He can't really put weight on it and as a result of that he sounds like he injured the other ankle as well, which is not unusual.

Q As a result of that condition or those conditions, would he be able to perform his
functions with the Fire Department?
A No, he would not.

MR. PINELLI: Thank you, doctor. That is all the questions $I$ have.

CHAIRMAN FORTUNA: Trustees, any
questions for Dr. Peters?
MEMBER MCPHILLIPS: No questions.
CHAIRMAN FORTUNA: Hearing none.
MEMBER MURPHY: I'd like to make a motion to grant the benefits requested by John Kampwirth, Firefighter, EMT.

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: There is a motion by
Trustee Murphy. Seconded by Trustee McPhillips.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.

Motion carries.

Based on the Findings of Fact and Conclusions of Law made by the Trustees, the Trustees have voted to grant you the benefit you have requested.

You will be notified by mail of the Findings of Fact and the Board's decision.

MR. KAMPWIRTH: Thank you, very much.

MR. PINELLI: Mr. Chairman, I was just going to ask if there were additional motions for reexam and the regular course as well as to adopt the Findings of Fact.

MEMBER MURPHY: There are. I would like to make a motion for reexam consistent with the Board's policy.

MEMBER SONI: Second.

CHAIRMAN FORTUNA: There's a motion for reexam by Trustee Murphy. Seconded by Trustee Soni.

Trustee Murphy.

MEMBER MURPHY: Yes.

CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.

MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.

Motion carries.

MEMBER MURPHY: Counsel has previously
sent around proposed Findings of Fact and Conclusions of Law in this matter.

Having had a chance to review those, I
would like to make a motion to adopt those Findings
of Fact and Conclusions of Law in this matter.
MEMBER NANCE-HOLT: Second.

CHAIRMAN FORTUNA: Trustee Murphy makes that motion. Trustee Holt seconds.

Trustee Murphy.

MEMBER MURPHY: Yes.

CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.

MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
That motion also carries.
MR. PINELLI: Thank you.
MR. KAMPWIRTH: Thank you, very much.
MEMBER MURPHY: Mr. President, we have PIC Sharisse Grassmuck from Ambulance 12 with a Duty Disability application.

MR. PINELLI: Is Ms. Grassmuck on the line?

MS. GRASSMUCK: Yes, I am here.
MR. PINELLI: You can hear me?
MS. GRASSMUCK: Yes.
MR. PINELLI: Very well, then we are ready to proceed.

Let the record reflect this is a hearing on the application for a Duty Disability benefit being made by Sharisse Grassmuck.

Good morning, Ms. Grassmuck. I am one of the attorneys for the Pension Fund. I will be conducting this hearing for the record. I'd like to advise you of some preliminary matters before we
start evidence.
First of all, there are six trustees currently in the meeting at this time to hear the evidence on your application. If you don't know you should know the Pension Code requires that you get the yes vote of at least five of the six trustees in order to receive this benefit. Do you understand that?

MS. GRASSMUCK: Yes, I do.
MR. PINELLI: Also, the record indicates that you do not have an attorney representing you. Is it your desire to proceed without an attorney? MS. GRASSMUCK: Yes.

MR. PINELLI: Finally, it is the applicant's burden of proof to present sufficient evidence to the board in order for the Board to grant the benefit that the applicant is seeking. Do you understand it is your burden of proof?

MS. GRASSMUCK: Yes.
MR. PINELLI: By way of procedures, I am going to start by asking you some questions under oath. The board members may or may not have questions of you. Then $I$ will call one of the Fund's physician consultants to testify. If there
is anything $I$ don't ask him that you think is important for the Board to know, please let me know and you will be given that opportunity. Do you understand the process?

MS. GRASSMUCK: Yes, I do.
MR. PINELLI: Very well, then we are ready to proceed. I would ask if you would raise your right hand as well as Dr. Peters.
(Witness sworn.)

## SHARISSE GRASSMUCK

a witness herein, having been first duly sworn, was examined and testified as follows:

## EXAMINATION

BY MR. PINELLI:
Q Would you please state your name and spell your last name for the record?

A Sharisse Grassmuck. G-r-a-s-s-m-u-c-k.
Q What is your rank with the Fire Department?

A Paramedic in Charge.
Q What was your last assignment before you went on layup?

A Ambulance 12.
Q Now you should have been provided a copy
of the Board Exhibits that have been previously marked 1 through 12. Did you receive those before today's hearing?

A Yes, I did.
Q Did you have an opportunity to review them?

A Yes, I did.
Q Do you have any objection to their admission into the record in support of your application?

A No.
MR. PINELLI: Thank you.
Mr. President, I move for admission of
Board Exhibits 1 through 12 without objection from the applicant.

CHAIRMAN FORTUNA: Admitted without objection.

MR. PINELLI: Thank you.
(Board Exhibits 1 through 12 were admitted into evidence.)

BY MR. PINELLI:
Q Now, Ms. Grassmuck, I'd like to direct your attention to the date of April the 3rd of 2020 and ask you if on that date you sustained any
injuries that are the basis of your application?
A Yes, I did.

Q Understanding the Board has the benefit of your written statement, nevertheless, could you please just briefly describe for us today where you were and what happened to you?

A I was in the back of the ambulance on April 3rd. We were transporting a senior citizen to the hospital when at some point somebody had walked in front of our ambulance and my partner had to slam on the brakes.

I was treating the patient and actually $I$ was getting ready to seatbelt myself back in and the next thing $I$ remember is feeling my neck break.

I had to slam on the wall to get my partner's attention to get him to stop and pull over because he was not able to see what happened.

At that point he pulled over and I made the decision just to continue with going over to Christ because we weren't that far away and I walked in with the patient and my partner.

Q Then were you examined there as well?
A Yes.
Q Now had you ever injured that part of
your body before?
A No.

Q Now it looks like from the medical
records that you have undergone two surgeries for that particular area; is that correct?

A That is correct.
Q The initial surgery was on April 7 th of 2020?

A April 6, 2020.
Q Okay, thank you. As a result of that surgery, they did put some screws into your upper cervical neck area?

A They put one anterior screw into the odontoid process.

Q Following that surgery you attempted to rehabilitate to come back to work but were unable to; is that correct?

A Correct. And then the doctors at Christ refused to see me again after they did the surgery.

Q Okay. And then subsequently you had a second surgery. When did you have the second surgery?

A Second surgery was January 22nd, which added four more screws and some rods.
Q Now can you briefly describe for the
members what your condition is today with respect
to limitations or any symptoms that you are
experiencing?

A I still have a lot of headaches. I have issues with balance, which yesterday I happened to fall and $I$ broke my right ankle yesterday.

So with that, $I$ have only been out of the C-collar for about two or three weeks $I$ think it's been. Like I said, I still have a lot of headaches. I still have a lot of pain. We're still in the middle or beginning stages of physical therapy again for the second surgery. I can only lift about 15 pounds. I am only able to do very light house chores. I can't do my grass. I have to pay someone to come and clean and change my cat boxes because $I$ have pets. And I am only -- I can't drive far distances at this point in time because I cannot turn my head too well to the left and to the right. Range of motion is diminished.

Q Okay. Since you went on layup, have you engaged in any activities by which you earn income?

A No.
Q Have you engaged in any sporting
activities?
A No.

Q I ask these questions of everyone just so you understand. Do you currently have any appointments scheduled with your doctor who has performed the second surgery?

A I have a followup in July.
MR. PINELLI: Okay, thank you, that is all the questions $I$ have at this time.

CHAIRMAN FORTUNA: Trustees any questions?

MEMBER MCPHILLIPS: No questions.
MR. PINELLI: Hearing no questions, I will call Dr. Peters.
(Witness previously sworn.)
MICHAEL I. PETERS, M.D.
a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION
BY MR. PINELLI:

Q Sir, could you please state your name?
A Michael I. Peters.
Q You're a physician; is that correct?
A Yes.
Q Do you perform a function as a consultant
to this fund?

A Yes, I do.
Q In that capacity, do you review medical records, examine or interview applicants and report to the Board?

A Yes.

Q And in addition to yourself is that function also performed by Dr. Daniel Samo?

A Yes.
Q And with respect to this applicant was it Dr. Samo who interviewed her?

A Yes, he did.
Q Did he file a written report with the Board that is marked as Board Exhibit Number 2?

A Yes.

Q And was Dr. Samo unable to attend today's hearing?

A That is correct.
Q And because of that, did you undertake the interview of the Board Exhibits, the medical reports, as well as the report that he filed with the Board?

A I reviewed all of the records, yes.
$Q$ Doctor, could you just summarize for us, if you would, what Ms. Grassmuck's current condition is?

A Ms. Grassmuck has, as she explained, suffered a blunt head trauma while she was in the back of an ambulance that stopped suddenly and had a displaced C-2 odontoid fracture that was fixed.

She had operative fixation of that three days later but there was nonfusion of that. The surgery didn't take. So she had a second surgery as she described and she still has symptoms related to her initial injury. Numbness, weakness, radicular, pain, headaches, limited range of motion for head turning, balance issues.

Q Based on those conditions, do you believe she would be able to perform her duties with the Fire Department?

A No.

MR. PINELLI: Thank you, doctor, that is all the questions $I$ have.

CHAIRMAN FORTUNA: Trustees, any
questions for Dr. Peters?
MEMBER MCPHILLIPS: No questions.
CHAIRMAN FORTUNA: Okay, thank you.
MEMBER MURPHY: I'd like to make a motion
to grant the Duty Disability benefits to Sharisse
Grassmuck.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There is a motion to grant by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, I'd like to make a motion for reexam consistent with the Board's policy.

MEMBER TEBBENS: Second.
CHAIRMAN FORTUNA: Motion for reexam by

Trustee Murphy. Seconded by Trustee Tebbens.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, Fund
counsel has previously sent around proposed
Findings of Fact and Conclusions of Law in this
matter. Having had a chance to review those, I a
motion to adopt those Findings of Fact and
Conclusions of Law.
MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: Motion to adopt by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.
MEMBER MURPHY: Yes.

CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.

MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.

Based on the Findings of Fact made by the

Trustees, the Trustees have voted to grant the benefit that you have requested.

You will be notified by mail of the Findings of Fact and the Board's decision.

Thank you and good luck.

MS. GRASSMUCK: Thank you, very much.
MEMBER MURPHY: Next we have Courtney Avery, PIC.

MR. PINELLI: Is Ms. Avery on the line?

MR. MARCONI: She should be.

MR. PINELLI: That is Attorney Jerry

Marconi. Good morning.

MR. MARCONI: Yes, sir. Good morning.

MS. AVERY: I am here. I had to unmute.
MR. PINELLI: Then everybody is present. We are ready to proceed.

Let the record reflect this is a hearing on the application for a Duty Disability benefit being made by Ms. Courtney Avery.

Ms. Avery is represented by counsel.
Counsel, could you please identify yourself for the record?

MR. MARCONI: Jerry Marconi for the applicant.

MR. PINELLI: Before we start testimony, counsel, did you receive a copy of what's been marked as Board Exhibits 1 through 12?

MR. MARCONI: I did.
MR. PINELLI: Have you and Ms. Avery had the opportunity to review them?

MR. MARCONI: We have reviewed them. We have no objection to them going into evidence.

MR. PINELLI: Thank you, very much.
Mr. President, I would move for admission of Board's Exhibits 1 through 12 without objection from the applicant.

CHAIRMAN FORTUNA: Admitted without
objection.
(Board Exhibits 1 through 12 were admitted into evidence.)

MR. PINELLI: Thank you, very much.
Then we are ready to proceed. Counsel, do you wish to call any witnesses?

MR. MARCONI: Courtney Avery.
MR. PINELLI: Ms. Avery, could you please raise your right hand? (Witness sworn.)

COURTNEY AVERY
a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. MARCONI:
Q Courtney, if you could just state your name for the record.

A Courtesy Marie Avery.
Q Are you currently employed by the Chicago Fire Department?

A I am.
Q In what capacity?
A Paramedic in Charge.
Q I am going to direct your attention to
the date of the incident, which is listed in your application as April 19, 2020. Where were you working that day?

A I was detailed out to Ambulance 23.
Q Do you remember which shift you were working?

A It would be third shift.
Q At some point did you get a call of a nonresponsive person?

A We did, yes.
Q Did you go to the scene of that call?
A I did go to the scene of that call. It was at a nursing home.

Q Was it an elderly male?
A It was a younger disabled male who was unresponsive.

Q Could you briefly explain to the Board what happened during that call?

A It was later in the morning. Probably I think around 10 or $11 \mathrm{a} . \mathrm{m}$. We had gotten there. He had low blood pressure. We started treating him and we went to transfer him from a chair to a stretcher, that we put to the right-hand side of the chair that he was in.

We transferred him and the chair had wood
arms on it. I went to lift him up because I had the upper torso of him. My partner had the bottom torso of him.

I went to lift him and he got caught on the arms of the wood chair and $I$ had to lift him even higher and I already mid-twisted at that point. Because he had gotten stuck, I had to go even higher and put him down into the stretcher and that is when $I$ felt a pop in my low back.

Q What did that pop feel like in the lower back?

A It felt like a stabbing knife. Electricity basically being shot up my whole left side.

Q Did you feel any pain or discomfort after that?

A Yes. It kept getting progressively worse. By the time we had gotten to Loretto Hospital with the patient and $I$ went back out to the ambulance, I couldn't bend or lift at that point in time, without excruciating pain that took me to my knees.

Q So you transported the patient to Loretto

Hospital; is that correct?
A Correct.

Q Did you seek any medical care at Loretto Hospital after you transported the patient?

A I did. I requested to be seen by the ER physician and $I$ made it known to my Commander and also $I$ had sent a text message to the Field Chief as well at the time that $I$ was going to be seen.

Q Was that the last shift that you worked?
A Correct.
Q Who is Dr. Grove? You went to see a Dr. Grove I think the next day?

A I did because I had talked to CFD Medical and they were unable to get me in until at about four days later and $I$ was in excruciating pain and experiencing drop foot and unable to get out of bed without assistance so $I$ sought emergency pain management from him.

Q After Dr. Grove I think the Medical Division referred you to Dr. Fisher; is that correct?

A Correct.
Q There was a MRI performed; is that correct?

A Correct.
Q There were two tears or there was tears at two different levels according to the MRI; is that correct?

A There was multiple tears at two different levels, including two disc herniations.

Q Prior to this day did you have any problems with your back?

A No.
Q You did not stay with Dr. Fisher; is that correct?

A No, I did seek a second opinion.
Q That was Doctor Lim; is that correct?

A Correct.

Q And that was also through the Medical
Section; is that correct?

A Correct.
Q Did you try conservative treatment first?
Meaning, did you try to do some PT and some epidural steroid injections?

A Yes, I did.
Q Did that relieve the pain or was it able to return you back to work?

A No.
$Q$ The records indicate then you had a
surgery by Dr. Lin in late December of 2020; is
that correct?

A Correct.
Q What was the nature of that surgery?
A The nature of that surgery was to get some pain relief and decompression. They did a laminectomy, foraminotomy. They did also a microdiscectomy. There was also a complication because of the swelling that the nerve, because it had nowhere to go, started to have the veins in the L-5 space wrap around the nerve, which they then had to pull apart in surgery and detangle it.

Q After your surgery did you go back and get some physical therapy?

A I did, yes.
Q Did that relieve the pain? Was that able to return you back to work?

A No, it did not.
Q Are you also seeing I think a Physician's Assistant Meeker?

A Yes, after the surgery Dr. Lim had me seeing his PA Dr. Meeker.

Q Dr. Meeker works with Doctor Lim; is that

## correct?

A Correct.

Q You're still treating with -- I will say
Dr. Meeker at least for now; is that correct?
A Correct.
Q What is the current plan?
A The current plan is now, because of all the inflammation, to do PT at home and Pilates at home as tolerated.

Q Is there a possible second surgery in the horizon?

A There is. After the last MRI, there was scar tissue that was impeding on the laminectomy and they want to wait a year and possibly do another surgery, if that doesn't correct or if some of the swelling doesn't go down.

Q When you say a year, are you talking about this December?

A Correct.
Q At this point it is just doing home exercises and hopefully time will be able to heal you; is that correct?

A Correct.
Q Are you currently on medications?

A I am. I take Flexeril at night and I take Naproxen during the daytime.

MR. MARCONI: Vince, I don't have
anything else.
EXAMINATION
BY MR. PINELLI:
Q Thank you. I just have a few questions.
Ms. Avery, first of all, you entered service with the Fire Department in 2018; is that correct?

A Yes, sir.

Q When you entered, what rank did you enter at?

A I entered as a FPM.
Q When did you achieve the rank of Paramedic in Charge?

A During layup they had called me to take the promotion.

Q So did you undergo some testing before you went on layup to achieve that rank?

A There is no testing for PIC.
Q Are your duties as a PIC similar to what you are required to do as a paramedic, though?

A Yes, they are, including more. $Q$ Okay. Counsel went through some of the treatment that you underwent for this after the surgery. The notes indicate that there was discussion about managing your pain with injections but you decided not to have that; is that correct?

A After the surgery, yes, because they didn't work the first time and that was discussed with Dr. Meeker.

Q Do you mean you had injections prior to the surgery that didn't work?

A Correct.

Q Since you went on layup, have you engaged in any activities by which you earn income?

A No.
Q Have you engaged in any sporting activities?

A No.
Q Are you currently taking any medications prescribed by a doctor for treatment of pain?

A Yes, I take Flexeril and Naproxen during the daytime.

MR. PINELLI: Thank you, that is all the questions $I$ have.

Are there any questions from the Board?
$\square$
CHAIRMAN FORTUNA: Trustees any questions?

MEMBER MCPHILLIPS: No questions.
MR. PINELLI: Just let me ask, counsel,
do you have any followup on that?
MR. MARCONI: I do not, Vince.
MR. PINELLI: Okay, thank you. Then do you rest at this time subject to the testimony of the doctor?

MR. MARCONI: Yes.
MR. PINELLI: Then $I$ would call Dr.
Peters to testify. I don't think $I$ swore you in on this, so, doctor, could you please raise your right hand?
(Witness sworn.)
MICHAEL I. PETERS, M.D.
a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION
BY MR. PINELLI:

Q Please, state your name.
A Michael I. Peters.
Q You are a physician; is that correct?
A Yes.
$\square$ to this fund?

A Yes, I do.
Q In that capacity, do you review medical records, examine or interview applicants and report to the Board?

A Yes.

Q Does Dr. Daniel Samo also perform that function for this fund?

A Yes, he does.
Q Was Dr. Samo the person who actually did the interview with Ms. Avery?

A Yes, he was.
Q Due to him being unavailable to attend today's meeting, did you undertake to review all the records, including the Board Exhibits and his written report to the Board?

A Yes.

Q Doctor, could you briefly summarize for us what Dr. Samo's findings were?

A Yes. Ms. Avery, as she described, sustained a lumbar spine injury secondary to heavy lifting and underwent conservative therapy, including epidural steroid injections which made
her symptoms worse. She developed neurologic deficits, which she described, which was a foot drop, and underwent a hemilaminectomy and neural foraminectomies at $L-4 / 5$, which have not relieved her symptoms. She still has radiculopathy. She still has significant pain and she still has neurologic deficits in her feet.

Q I take it that with those conditions do you believe she could perform her functions with the Fire Department?

A No, I don't.

Q Doctor, just a quick question regarding she's very young, in her early 30's. Based upon your knowledge of this kind of surgery, what do you expect would be the next course of potential treatment, if any, to try to get her back to work?

A I would agree with the plan that she described that is in her record, which is she should initially undergo conservative treatment with physical therapy. It sounds like her personal decision is not to have additional injections because they did make her symptoms worse in the past and $I$ think that is a reasonable decision. Whether or not she has to have a surgery again I
think that is based on how she responds to her therapy, which she really hasn't been able to start yet in a full effort.

Q It will have to wait farther down the line to see how she progresses with physical therapy and conservative treatment before any determination can be made as to what other treatments she could undergo?

A Yes. I think time and physical therapy are the key here and then a decision can be made.

MR. PINELLI: Thank you, doctor, that is all the questions $I$ have.

CHAIRMAN FORTUNA: Trustees, any
questions for Dr. Peters?
MEMBER MCPHILLIPS: No questions.
MR. PINELLI: Counsel, do you have any questions of the doctor at this time?

MR. MARCONI: No questions.
MR. PINELLI: Thank you. Then do you rest on behalf of the applicant?

MR. MARCONI: Yes, I do.
MR. PINELLI: Members of the Board, the record is complete in this matter at this time.

MEMBER MURPHY: Mr. President, I would
like to make a motion to grant Duty Disability benefits to Courtney Avery.

CHAIRMAN FORTUNA: There is a motion to grant by Trustee Murphy.

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: Second by Trustee McPhillips.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Conyears-Ervin.

MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, I'd like to make a motion for reexam consistent with the

Board's policy.
MEMBER MCPHILLIPS: Second.

CHAIRMAN FORTUNA: There is a motion for reexam by Trustee Murphy. Seconded by Trustee McPhillips.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Fund counsel has
previously sent around proposed Findings of Fact and Conclusions of Law in this matter. Having had a chance to review those, I'd like to make a motion
to adopt the Findings of Fact and Conclusions of Law in this matter.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There's a motion to adopt the Findings of Fact by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Conyears-Ervin.

MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
Ms. Avery, based on the Findings of Fact made by the Trustees, the Trustees have voted to grant you the benefit that you have requested.

You will be notified by mail of the Findings of Fact and the Board's decision.

Thank you and good luck.
MS. AVERY: Thank you all.
MEMBER MURPHY: Mr. President, I believe
our third applicant on the agenda has deferred today, am I correct?

MS. PINELLI: That is my understanding as well. We received communication from Mr. Ibata's attorney that they wanted to defer the matter to next month's meeting.

MEMBER MURPHY: I'd like to make a motion to go into Executive Session.

MEMBER TEBBENS: Second.
CHAIRMAN FORTUNA: There is a motion by
Trustee Murphy to go into Executive Session. There is a second by Trustee Tebbens.

MS. BOECKMAN: Pursuant to $2(c) 4$ and
$2(c) 11$ of the Open Meetings Act.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: And I am a yes.
We are in Executive Session.
(Whereupon, the Board went into
Executive Session off the record.
No action was taken in Executive
Session.)
MEMBER MURPHY: The next item involves the application of Elizabeth Mazor. The Board heard testimony on this matter last month, deferred the matter, and we are now ready to proceed to vote on the application.

Vince, do you have any additional comments to make?

MR. PINELLI: The only thing $I$ would add is in the interim since we were last together on April $23 r d$ counsel for the applicant submitted an
additional exhibit, Applicant's Exhibit 2, to the Board for its consideration, regarding a legal position on the period of time for benefits to be paid in the event that the Board grants Ms. Mazor. So that has been submitted and I have no objection to that, Mr. President. I am assuming the applicant is moving but $I$ have no objection to the admission of Applicant's 2 into the record. CHAIRMAN FORTUNA: That would be admitted.
(Applicant's Exhibit 2 was admitted into evidence.)

MR. PINELLI: With that being admitted, the record is closed and this matter is available for the Board to take action on.

MEMBER MURPHY: I would like to make a motion to grant Duty Disability to Elizabeth Mazor consistent with the time period Ms. Mazor was employed with the CFD and disabled under the definitions of a disability in the Illinois Pension Code and applicable case law.

MEMBER TEBBENS: Second.
CHAIRMAN FORTUNA: There is a motion to grant by Trustee Murphy. Seconded by Trustee

## Tebbens.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.

MEMBER MURPHY: Mr. President, I would like to make a motion for reexam consistent with the Board's policy.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There is a motion for reexam by Trustee Murphy. Seconded by Trustee Holt.

Trustee Murphy.

MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, Fund counsel has previously sent around proposed Findings of Fact and Conclusions of Law in this matter.

Having had a chance to review those, I make a motion to adopt the Findings of Fact and Conclusions of Law in this matter.

MEMBER SONI: Second.
CHAIRMAN FORTUNA: There is a motion to adopt by Trustee Murphy. Seconded by Trustee

Soni.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
For the record, based on the Findings of Fact made with the Trustees, the Trustees have voted to grant the benefit consistent with the period that Ms. Mazor was employed and disabled under the definition of the Illinois Pension Code.

Does that sound right, Vince?
MR. PINELLI: Yes, that is consistent with the Board's motion and grant.
$\square$
CHAIRMAN FORTUNA: So she will be notified by mail of the Findings of Fact and the Board's decision. Thank you.

MR. PINELLI: That concludes this matter. MEMBER MURPHY: Moving on to Item 5, I'd like to make a motion to approve the Board Physician's recommendations for reviews.

MS. BOECKMAN: Dr. Peters, do you mind talking through your report? I know it involves some of the additional medical evaluations that the Board approved at a prior meeting. I don't know if you have any comments you'd like to make before the Board moves forward with your recommendations.

DOCTOR PETERS: Specifically, are you referring to Mr. Flinz and Ms. Flores-Pachowicz?

MS. BOECKMAN: Yes, sir.
DOCTOR PETERS: Mr. Flinz had a FCE performed an April 13th. It was assessed as being consistent and that he met 55 percent of the demands that are physical demands required to do full duties as a Paramedic. He met a medium physical demand level.

Specifically, if you look at what he was able to achieve, he could only lift 30 pounds of
the required 100 pound lifting. Also, the range of motion for his left elbow, the one that was surgically repaired, is still limited for extension. He can't extend fully to a straight line. He extends only to minus 17 degrees. So I don't think he would be able to perform full duties given those findings.

MS. BOECKMAN: Thank you, Dr. Peters. Do you have any other comments on any of the other reexams? Otherwise, if there is no questions, we can move forward with adopting your recommendation.

DR. PETERS: Not anything else on Mr .
Flinz. I do have an update on Ms. Gloria Flores-Pachowicz

MS. BOECKMAN: Okay, great.
DR. PETERS: So she also underwent a FCE as initially advised by her hand surgeon Dr. Speziale and she had the test done on April 20 th. And overall it was assessed as being valid, a valid assessment of her abilities. But Dr. Speziale pointed out that when you look at the breakdown of the exam, he thought, and it is stated, that she only had 69 percent consistency of effort. Specifically, it has to do with her persistent
inability to fully have full range of motion at the first joint, the PIP joint, of her left index finger and because of this she wasn't able to do heavy lifting.

And Dr. Speziale's observation is that -and this sounds a little bit extreme, but his conclusion is that even without -- if you were to lose your entire left index finger at the PIP joint, if you were to have an amputation, which this applicant did not, you still would be able to perform heavy lifting. You don't need the index finger's function at the PIP joint to do that.

Therefore, his conclusion is that her limitation in the exam is probably more related to her deconditioning overall than the fact that she doesn't have proper range of motion, specifically flexion, at the first joint of the index finger.

His recommendation is that she undergo a work hardening program and then follow up with him in about six weeks, which $I$ think is very reasonable.

MS. BOECKMAN: Okay, great. Any questions from the board members?

TRUSTEE MURPHY: I would like to make a
motion to approve the Board Physician's recommendations for reviews.

MEMBER CONYEARS-ERVIN: Second.
CHAIRMAN FORTUNA: There is a motion to approve by Trustee Murphy. Seconded by Trustee Conyears-Ervin.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee

Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MURPHY: Moving on to Item 6 in Agenda, Investments, I'd like to turn this over to Trustee McPhillips and walk us through the report.

## MEMBER MCPHILLIPS: Good morning, everyone.

We had our Investment Committee meeting on the 14 th. We went over the cash flow analysis, the $Q 1$ report from Callan, and also the RFP for the three finalists for the investment consultant.

I will turn this over to Lorna. If anyone has any questions of Callan, you can ask Brady.

MS. SCOTT: Actually, I don't have anything to add. I would want to pause because I believe there was some other Investment Committee members who did want to comment.

MEMBER CONYEARS-ERVIN: Thank you, Lorna.
I just wanted to say we had a really great Investment Committee meeting and I really thank Lorna for the work that she did to provide the background information, the comparative charts and everything that we had.

Thank Trustee McPhillips for coordinating the meeting and leading and facilitating it. It was a very difficult meeting, which was great for the Fire Pension Fund, because we had three really, really good candidates. And, certainly, we
appreciate the work that Brady and Callan has done and I spoke at length about that during the meeting.

But I wanted to just say for the record the respect that $I$ have specifically for another candidate that had applied, which was Marquette Associates. I work with them on two other pension funds and $I$ just wanted to say while it was a very difficult decision and while $I$ certainly appreciate the work that Marquette Associates does for us at the City of Chicago, with the other two pension funds, I would like to say congratulations to Callan and Brady. Thanks for the work that you have done and we look forward to the continued partnership. Thank you, Trustee McPhillips and President Fortuna, for allowing me to chime in there.

CHAIRMAN FORTUNA: Thank you.
MS. SCOTT: I think with that, I am looking for a motion to ratify the Committee's recommendation related to the investment consultant search.

MEMBER MCPHILLIPS: I will make that motion.
$\square$
MEMBER CONYEARS-ERVIN: I will second that motion.

CHAIRMAN FORTUNA: There is a motion by Trustee McPhillips. Seconded by Trustee Conyears-Ervin.

Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MS. SCOTT: The next item on the agenda is my Investment update. I am going to keep this report pretty short.

So the Investment report has the
performance chart year-to-date through April. In summary, April was a very strong month. The Fund was up 3.5 percent. Ahead of the benchmark by 0.3 percent. Year-to-date the Fund was up 7.4 and that is outperforming the benchmark by 0.6 .

It is really a good start to the year for the Fund in performance.

The next item below that it is the Q1
MWDBE brokerage utilization review. And so in short, the Fund is meeting its utilization goals thus far.

I think in a nutshell that is the investment report.

CHAIRMAN FORTUNA: Is there a motion to accept?

MEMBER MURPHY: Motion to accept the Investment report.

MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: Motion to accept by Trustee Murphy. Seconded by Trustee McPhillips. Trustee Murphy.

MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, moving to
Item Number 7, Expenditures. We have
Administrative Expenses for Board review and approval. I'd like to make a motion to approve the Administrative Expenses as presented.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: Motion by Trustee
Murphy. Seconded by Trustee Holt.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee

Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.
MEMBER MCPHILLIPS: Sarah, thank you for filling in the last couple of months as the Interim Executive Director. You have done a great job.

MEMBER MURPHY: The Legislative Update.
Sarah, would you proceed with any updates?
MS. BOECKMAN: Thank you. I just want to say thank you, Trustee McPhillips, and thank you to all the board members. It is a privilege to serve you and I look forward to continuing to work with all of you, just with my attorney hat on and not my Interim Executive Director hat on.

As far as the Legislative Update, you are going to be hearing from Brandon Phelps. I had anticipated starting a little bit later at 10:15.

If it is okay with the Board President and the rest of the board members, $I$ will do my Executive Director's report and kill a little bit of time before Brandon calls into the meeting. He is going to provide a short update about what is happening down in Springfield as well as answer any questions from board members. Because $I$ believe this will be our last meeting before the General Assembly goes into recess until the fall, we probably won't be hearing much from Brandon from now until the fall session. If any Trustees have any questions, he is going to be available on the phone.

As far as my Executive Director's report is concerned, the only thing $I$ wanted to mention is something which we are really excited about, and I would like to give a big kudos to Lori and Liz, who worked very hard in selecting a new FABF staff member, is that we have a new hire in the Benefits Department. His name is Kayode Michael Ajighegire. He goes by Michael.

He will be joining the Fund on the 24 th of May, so a week from today. He is extremely qualified, has great energy, and we are really excited for him to start as part of the team.

He will be training under Liz for the next year while Liz works out her next steps in retirement. We are going to be really sad to see Liz go but she has graciously agreed to train Michael and help him get onboard.

I know we're starting to be in-person a little bit more. If you are in the Fund office anytime over the next month, I encourage you to introduce yourself to Michael. We are really excited to have him onboard.

Again, thank you to Lori and Liz for working so hard in getting Michael onboard.

Brandon, do you happen to be on the line yet? It looks like you are. I gave a short intro just saying that you are going to give us a little bit of an update of what is going on down in Springfield and any bills we should be aware of and what is maybe going on down there because we are probably not going to hear too much from you from now until the fall session.

I am going to turn it over to you and we're excited to hear your update.

MR. PHELPS: My firm partner, Patrick Barry, if someone can let him in, is going to join
me on this call.
MS. BOECKMAN: Absolutely. It looks like he just was let in.

MR. PHELPS: Great. Good morning, Sarah, Mary Pat, to all the board members.

Pat and I are over at the Capitol waiting to talk to leadership. We sent you a report. I know some of those bills $I$ know we can take off. Rather safe than sorry, we still monitor everything for you on that.

As you know, the clock is ticking. They were supposed to be done by May 3lst. It looks like possibly they could maybe go into the summer with the remap process, that is really on everybody's mind, it is taking a lot of time from the legislative process because they have to do that remap this year.

The Senate Democrats and the House Democrats are kind of not working together on the remap process and they have not brought any Republicans into the process as of right now.

But really the main thing is $I$ just want to tell you thank you for letting us represent you.

Right now it looks like there is not
really a lot of adversarial bills that would hurt the Fund. We are monitoring very closely. I talk to Sarah quite a bit.

Like I said, if you want to look at some of those bills on the report, we could probably take some of those off.

But right now, mainly, besides the remap process, the budgets negotiations are going on. The energy talks are going on. There is cannabis that may be coming up and also some gaming issues might be coming up here shortly.

With that, Pat, $I$ know you wanted to say a couple of things.

MR. BARRY: Just to drill down a little bit more on the pension conversations, I think everybody on here knows that Martwick has been dominating the issue the last couple of years. This year has been no different.

His focus, in talking to him quite often, has mostly been on the universities and state employees related to deferred compensation and the Tier 2 issue that he sees as a shortfall for retirement. So that has kind of kept us off the radar a bit and along with what Brandon
said, major, major outstanding issues with two weeks left to go. No consensus on a map. Budget negotiations just starting.

The Feds saying that the money that has come to us from the relief package cannot be used for debt has thrown kind of a wrench in the Budget process.

Just a lot of large moving parts still out there to get done in the last two weeks. Along with 800 bills on the floor between both Chambers. So, you have got energy, budget, cannabis. And, obviously, the largest and the biggest gorilla in the room is the remap.

So with that, any questions, we are open to any questions.

MR. PHELPS: Sarah, we can take any questions.

MS. BOECKMAN: Thank you, Brandon.
Anyone have any questions for Brandon or
Patrick?

MEMBER CONYEARS-ERVIN: No questions, just do what you do.

MR. PHELPS: Thanks, everybody.
CHAIRMAN FORTUNA: Thank you, Brandon.

MS. BOECKMAN: Thank you both.
MEMBER MURPHY: Do you want to go into the Executive Director's Report or do you want to go into Legal?

MS. BOECKMAN: I don't have anything else
for my Executive Director's report and we can move to Legal. Although, $I$ will note that we do not have any legal updates at this time.

MEMBER MURPHY: I'd like to make a motion to go into closed session pursuant to $2(c) 1$ of the Open Meetings Act to discuss personnel matters.

MEMBER NANCE-HOLT: Second.
CHAIRMAN FORTUNA: There is a motion by
Trustee Murphy to go into Executive Session.
Seconded by Trustee Holt.
Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee

Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips. MEMBER MCPHILLIPS: Yes. CHAIRMAN FORTUNA: Trustee Tebbens. MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.

We are in closed session.
(Whereupon, the Board went into

Executive Session off the record.
No action was taken in Executive

Session.)

MEMBER MURPHY: Mr. President, I would like to make a motion to authorize the Board President to execute and deliver the offer letter to the Executive Director candidate on the terms that were presented.

MEMBER MCPHILLIPS: Second.

CHAIRMAN FORTUNA: Motion by Trustee
Murphy. Seconded by Trustee McPhillips.
Trustee Murphy.
MEMBER MURPHY: Yes.

CHAIRMAN FORTUNA: Trustee Holt.

MEMBER NANCE-HOLT: Yes.

CHAIRMAN FORTUNA: Trustee

Conyears-Ervin.

MEMBER CONYEARS-ERVIN: Yes.

CHAIRMAN FORTUNA: Trustee Soni.

MEMBER SONI: Yes.

CHAIRMAN FORTUNA: Trustee McPhillips.

MEMBER MCPHILLIPS: Yes.

CHAIRMAN FORTUNA: Trustee Tebbens.

MEMBER TEBBENS: Yes.

CHAIRMAN FORTUNA: And $I$ am a yes.
Motion carries.

Item 11.

MEMBER MURPHY: There is no new business, Mr. President.

CHAIRMAN FORTUNA: Is there any old
business?

MEMBER CONYEARS-ERVIN: I have new business, though.

CHAIRMAN FORTUNA: Okay.
MEMBER CONYEARS-ERVIN: I wanted to say congratulations. I am so proud of Trustee Annette Holt, the nominated Commissioner of the Chicago Fire Department. First woman nominated and first woman of color.

She does such great work for us. I don't even know if this is her last meeting or not but $I$
just wanted to say that because it is news and it is a big deal so congratulations. She has worked so hard for us, thank you.

MEMBER NANCE-HOLT: Thank you, thank you so much. I think if $I$ am confirmed, it is bittersweet. Truly $I$ have enjoyed everything with everybody on this call and I have learned so much. Even with our debates, I still grow from those. I am just grateful and thank you. Keep praying for me, that is what $I$ can tell you. Thank you.

CHAIRMAN FORTUNA: We will.
MEMBER MCPHILLIPS: Good luck, Annette.
MEMBER TEBBENS: I would like to wish
Commissioner Holt congratulations as well.
I also serve on another board with
Commissioner Holt, Fire Insurance Board, and it is a pleasure serving on both boards and congratulations.

MEMBER NANCE-HOLT: Thank you. I greatly
appreciate everybody. And it is big shoes to fill and I am sure god has built me to handle this. I would like to do this before $I$ retire off this job. Just, thanks, because $I$ couldn't do any of this without everybody behind me and pushing me up and
teaching me what $I$ learned throughout the years so thank you.

CHAIRMAN FORTUNA: Annette, you are going to do great. And, $I$ tell you what, this will be the first time $I$ ever said this to a Commissioner: We love you.

MEMBER NANCE-HOLT: Thank you.
MEMBER SONI: We love you. We are so proud. I think as everybody has said over here, you're going to do a fantastic job. Just working with you in this realm, we can see you are so thoughtful and so balanced. You listen to all sides. You really want to do good for the City and for the Fire Department and all of the people who work hard in that Department and throughout the City. You will do a wonderful job. We are here to support you but congratulations again.

MEMBER NANCE-HOLT: Thank you.
MEMBER MURPHY: Congratulations,
Commissioner. I am sure we will still see you on the street, too.

MEMBER NANCE-HOLT: Of course, you will. Thank you.

MEMBER NANCE-HOLT: Let me make the

All in favor?
(Chorus of ayes.)
(WHICH WERE ALL THE PROCEEDINGS
IN THE ABOVE-ENTITLED MEETING
AT THIS DATE AND TIME.)

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STATE OF ILLINOIS )
                                    ) SS.
COUNTY OF DU PAGE )
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