1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
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7	IN THE MATTER OF) AUDIO CONFERENCE MEETING NO. 1071)
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10	STENOGRAPHIC REPORT OF PROCEEDINGS had of
11	the audio conference meeting of the above-entitled
12	matter, held at 20 South Clark Street, Suite 300,
13	in the City of Chicago, County of Cook, State of
14	Illinois, on Wednesday, March 18, 2020, commencing
15	at the hour of 8:45 a.m.
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1	APPEARANCES
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4	BOARD MEMBERS APPEARING TELEPHONICALLY:
5	DANIEL FORTUNA, President and
6	Annuitant Trustee
7	WILLIAM MURPHY, Active Trustee
8	ANNA VALENCIA, City Clerk
9	RESHMA SONI, City Comptroller
10	ANNETTE NANCE-HOLT, Active Trustee
11	BOARD MEMBERS PRESENT:
12	
13	ANTHONY MARTIN, Secretary and Active Trustee
14	TIMOTHY McPHILLIPS, Active Trustee
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16	ATTORNEYS FOR THE BOARD:
17	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS
18	DI. MS. MARI PAIRICIA BORNS
19	ALSO PRESENT:
20	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
21	LORNA SCOTT, Chief Investment Officer
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	1	MS. BURNS: Okay. Let the record reflect
	2	that it is approximately 8:45 on Wednesday, March
	3	18th.
	4	This is, as Trustee Martin will say
01:03PM	5	later, the Regular Meeting Number 1071 of the
	6	Firemen's Annuity and Benefit Fund of Chicago.
	7	Before we start, and consistent with the
	8	Board's practice, we'd like to make sure that we
	9	have the identity of everybody who is participating
01:03PM	10	in the meeting on the phone.
	11	We know we have Trustee Holt, Trustee
	12	Murphy, Trustee Soni, Trustee Valencia on the
	13	phone. In the room we have Trustee Martin, Trustee
	14	McPhillips. And we have our Board President Dan
01:03PM	15	Fortuna.
	16	In addition, we know that we have on the
	17	phone former trustee and now Executive Director
	18	Erin Keane.
	19	And if there is anybody else on the
01:04PM	20	phone, we would ask that they identify themselves.
	21	MS. TUCZAK: Gina Tuczak is on the phone.
	22	MS. BURNS: Gina, good morning.
	23	Anybody else on the phone?
	24	MR. KUGLER: Justin Kugler is on the

	1	phone.
	2	MS. BURNS: Justin Kugler.
	3	Anybody else?
	4	We're going to ask people if you join the
01:04PM	5	call after we have started, that you hold off on
	6	from identifying yourself and then before we
	7	disconnect from the meeting, we would ask that you
	8	make sure that you stay on the line to identify
	9	yourself as a member of the public that was present
01:04PM	10	for the meeting.
	11	Our proceeding today is being recorded
	12	consistent with the Executive Order of the Governor
	13	file on March 16, 2020. And, specifically, in that
	14	Executive Order, Section 6, which allows for this
01:05PM	15	meeting to be held by audio conference due to the
	16	circumstances that we are facing. Section 6
	17	consistent with the Gubernatorial Disaster
	18	Proclamation allows for this meeting to be held by
	19	an audio conference versus an in-person meeting.
01:05PM	20	Consistent with the Governor's direction
	21	and working with the Board President, we have
	22	truncated our agenda to make sure that we are
	23	dealing solely with matters that the Board has
	24	determined are important and necessary for the

	1	business of the Fund.
	2	In that regard, we have a revised amended
	3	docket that was posted on the Fund's website by
	4	Monday of this week.
01:05PM	5	If anyone wants to access that, it is
	6	available on the website.
	7	With that, I would turn it over to
	8	Trustee Martin, the Board Secretary, and ask that
	9	he walk us through the docket.
01:05PM	10	MEMBER MARTIN: Okay. This is Meeting
	11	Number 1071.
	12	For roll call, we pretty much know who is
	13	here. Myself, Trustee McPhillips are present.
	14	Trustee Holt.
	15	MEMBER NANCE-HOLT: Present.
	16	MEMBER MARTIN: Trustee Soni.
	17	MEMBER SONI: Present.
	18	MEMBER MARTIN: Trustee McPhillips.
	19	MEMBER McPHILLIPS: Present.
	20	MEMBER MARTIN: Trustee Murphy.
	21	MEMBER MURPHY: Present.
	22	MEMBER MARTIN: Chairman Fortuna.
	23	CHAIRMAN FORTUNA: Present.
	24	MEMBER MARTIN: Trustee Valencia.

	1	MEMBER VALENCIA: Present.
	2	MEMBER MARTIN: Trustee Conyears-Ervin is
	3	not on the line.
	4	MS. BURNS: Right now we have seven of
01:06PM	5	our eight trustees present.
	6	MEMBER MARTIN: Are there any requests of
	7	the public to address the Board?
	8	MS. BURNS: We would ask if anybody wants
	9	to address the Board that they state their names.
01:06PM	10	We will take down the names and then we will hear
	11	the public comments in order.
	12	Everyone will be limited to three minutes
	13	consistent with the Board's practice and I will be
	14	timing that.
01:06PM	15	Are there any members of the public that
	16	would like to indicate that they would like to make
	17	a comment for the record?
	18	MS. TUCZAK: This is Gina Tuczak from the
	19	public. I'd just like to add that Margaret
01:06PM	20	Fahrenbach is with me as well for your records.
	21	MS. BURNS: Thank you.
	22	There being no public comments, sir, we
	23	are able to proceed with the meeting.
	24	MEMBER MARTIN: Moving on to Item 2,

	1	Approval of Administrative Items.
	2	2-A, Retirement Annuities and Minimum
	3	Formula Annuities on Page 1 for Member 11548 and
	4	Member 15605. Mr. President, I make a motion to
01:07PM	5	approve.
	6	MEMBER MCPHILLIPS: Second.
	7	CHAIRMAN FORTUNA: Motion to approve by
	8	Trustee Martin. Seconded by Trustee McPhillips.
	9	All in favor?
01:07PM	10	(Chorus of ayes.)
	11	CHAIRMAN FORTUNA: Opposed?
	12	Hearing none, motion carries.
	13	MEMBER MARTIN: Moving on to Page 2, we
	14	have Survivor Annuities for Widows beginning with
01:07PM	15	Member 13464 continuing through to the bottom of
	16	Page 2 ending with Member 12287.
	17	Mr. President, I make a motion to
	18	approve.
	19	MEMBER McPHILLIPS: Second.
01:07PM	20	CHAIRMAN FORTUNA: Motion to approve by
	21	Trustee Martin. Seconded by Trustee McPhillips.
	22	All in favor?
	23	(Chorus of ayes.)
	24	CHAIRMAN FORTUNA: Opposed?

	1	Hearing none, motion carries.
	2	MEMBER MARTIN: Page 3, Survivor
	3	Annuities: Children's Annuities for Member 15733.
	4	Mr. President, I make a motion to approve.
01:08PM	5	MEMBER MCPHILLIPS: Second.
	6	CHAIRMAN FORTUNA: Motion to approve by
	7	Trustee Martin. Seconded by Trustee McPhillips.
	8	All in favor?
	9	(Chorus of ayes.)
01:08PM	10	CHAIRMAN FORTUNA: Opposed?
	11	Hearing none, motion carries.
	12	MEMBER MARTIN: Page 4, Refunds. Refund
	13	of Contributions on Page 4 beginning with Member
	14	15456 continuing through to the middle of Page 4
01:08PM	15	ending with Member 18643. Mr. President, I make a
	16	motion to approve.
	17	MEMBER MCPHILLIPS: Second.
	18	CHAIRMAN FORTUNA: Motion to approve by
	19	Trustee Martin. Seconded by Trustee McPhillips.
01:08PM	20	All in favor?
	21	(Chorus of ayes.)
	22	CHAIRMAN FORTUNA: Opposed?
	23	Hearing none, motion carries.
	24	MEMBER MARTIN: Moving to Page 5, Mr.

	1	President. Item D, Death Benefits, beginning with
	2	Member 06822 continuing through to the top of Page
	3	6 ending with Member 13464. Mr. President, I make
	4	a motion to approve.
01:09PM	5	MEMBER MCPHILLIPS: Second.
	6	CHAIRMAN FORTUNA: There is a motion to
	7	approve by Trustee Martin.
	8	MEMBER MCPHILLIPS: Second.
	9	CHAIRMAN FORTUNA: Motion to approve by
01:09PM	10	Trustee Martin. Seconded by Trustee McPhillips.
	11	All in favor?
	12	(Chorus of ayes.)
	13	CHAIRMAN FORTUNA: Opposed?
	14	Hearing none, motion carries.
01:09PM	15	MEMBER MARTIN: Mr. President, on Page 7,
	16	Item E, Partial Payments beginning with Member
	17	09496 continuing through to the top of Page 8
	18	ending with Member 10849. Mr. President, I make a
	19	motion to approve.
01:10PM	20	MEMBER MCPHILLIPS: Second.
	21	CHAIRMAN FORTUNA: There is a motion to
	22	approve by Trustee Martin. Seconded by Trustee
	23	McPhillips. All in favor?
	24	(Chorus of ayes.)
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	1	CHAIRMAN FORTUNA: Opposed?
	2	Hearing none, motion carries.
	3	MEMBER MARTIN: Mr. President, moving to
	4	Page 9, Item F, Benefit Recalculations. This month
01:10PM	5	there are none.
	6	Moving to Item G, Request for Permission.
	7	We have one request for Guardianship for Member
	8	07088. The Power of Attorney and doctor's letter
	9	are on file. Mr. President, I make a motion to
01:10PM	10	approve.
	11	MEMBER MCPHILLIPS: Second.
	12	CHAIRMAN FORTUNA: Motion to approve by
	13	Trustee Martin. Seconded by Trustee McPhillips.
	14	All in favor?
01:10PM	15	(Chorus of ayes.)
	16	CHAIRMAN FORTUNA: Opposed?
	17	Motion carries.
	18	MEMBER MARTIN: Moving a little further
	19	to Item I, we have Removals. Beginning with Helen
01:11PM	20	W. Dietz continuing to the bottom of Page 9 ending
	21	with James T. Harney. Mr. President, I make a
	22	motion to approve.
	23	MEMBER McPHILLIPS: Second.
	24	CHAIRMAN FORTUNA: There is a motion to

	1	approve by Trustee Martin. Seconded by Trustee
	2	McPhillips. All in favor?
	3	(Chorus of ayes.)
	4	CHAIRMAN FORTUNA: Opposed?
01:11PM	5	Hearing none, motion carries.
	6	MEMBER MARTIN: Mr. President, turning to
	7	Page 10, Payments Pursuant to Administrative and
	8	court orders.
	9	For QILDROS, we have beginning with
01:11PM	10	Member 011010 continuing through to the bottom of
	11	Page 10 ending with Member 013291. I make a motion
	12	to approve.
	13	MEMBER MCPHILLIPS: Second.
	14	CHAIRMAN FORTUNA: Motion by Trustee
01:11PM	15	Martin. Seconded by Trustee McPhillips. All in
	16	favor?
	17	(Chorus of ayes.)
	18	CHAIRMAN FORTUNA: Opposed?
	19	Hearing none, motion carries.
01:12PM	20	MEMBER MARTIN: Moving to Page 11, we
	21	have the Investment report.
	22	MS. SCOTT: I have one item to cover and
	23	that is performance. Markets have been very, very
	24	volitive primarily around the coronavirus and the

	1	uncertainty on how it's going to be handled.
	2	So as of February 29th, the Fund is down
	3	6.1 percent. At this point in time, we are
	4	remaining calm and we're not restructuring the
01:12PM	5	portfolio in any way.
	6	We do have 56 million dollars in cash
	7	from City contributions, which we will use to pay
	8	benefit payments for the next two months.
	9	At this point in time, we will not sell
01:12PM	10	any investments into this environment.
	11	MS. BURNS: On that, the only thing I
	12	would add is Lorna will be in touch with all of you
	13	if that situation changes by email, right?
	14	MS. SCOTT: Okay.
01:12PM	15	MS. BURNS: If she needs cash before we
	16	are able to meet again, we'll do a phone poll based
	17	on past practice of the Fund regarding if we have
	18	to liquidate or something. Okay?
	19	MS. SCOTT: Sounds good.
01:13PM	20	MEMBER MARTIN: Motion to spread the
	21	Investment Report on the record.
	22	MEMBER MCPHILLIPS: Second.
	23	CHAIRMAN FORTUNA: Motion by Trustee
	24	Martin. Seconded by Trustee McPhillips. All in

	1	favor?
	2	(Chorus of ayes.)
	3	CHAIRMAN FORTUNA: Opposed?
	4	Hearing none, motion carries.
01:13PM	5	MEMBER MARTIN: Further down on Page 11,
	6	we have the Expenditures. Administrative expenses
	7	for Board review and approval, which includes Fund
	8	counsel's bill for 2020. Mr. President, I make a
	9	motion to approve.
01:13PM	10	MEMBER MCPHILLIPS: Second.
	11	CHAIRMAN FORTUNA: Motion to approve by
	12	Trustee Martin. Second by Trustee McPhillips. All
	13	in favor?
	14	(Chorus of ayes.)
01:13PM	15	CHAIRMAN FORTUNA: Opposed?
	16	Hearing none, motion carries.
	17	MEMBER MARTIN: Moving to Item 6, we have
	18	the Executive Director update regarding Fund
	19	operations.
01:14PM	20	MR. SWANSON: Thank you.
	21	Our Fund operations, we sent out a notice
	22	yesterday regarding the operation of the fund going
	23	forward.
	24	Starting at noon today, we will no longer

	1	be accepting visitors. The staff will be working
	2	remotely. They do have access to the office so we
	3	can insure the benefits are paid at the end of the
	4	month. Although, we do have capabilities to
01:14PM	5	produce the benefit payments offsite as well.
	6	All phone calls we will continue to
	7	answer the phones. We will continue to monitor the
	8	emails. All staff will be working remotely.
	9	Everyone has a laptop and access to all our systems
01:14PM	10	and also access to the Fund's phone system. We
	11	will continue all our normal activities just from
	12	remote locations.
	13	MEMBER VALENCIA: Steve, this is Trustee
	14	Valencia.
01:14PM	15	Question. How are we going to if
	16	people obviously, they won't be able to come in
	17	for their disability hearings.
	18	How are we going to be able to not clog
	19	the system and take care of people's disability
01:14PM	20	hearings timely?
	21	I know you reached out about City
	22	Council. We cancelled our meeting, obviously,
	23	today and I think we will be probably from what
	24	I am hearing and it is not public yet, will be kind

1 of slowing things down at City Hall and by the end 2 of the week City Hall will be shutdown to the 3 public. Most of it, if not all. So I don't think we can use City Council chambers. 4 01:15PM 5 I am curious about what we're going to do 6 on the disability hearings. 7 MS. BURNS: Trustee Valencia, if I may address that. Trustee Martin, the Executive 8 9 Director and I are going to talk and come up with a 10 procedure by which perhaps we could consider a 01:15PM 11 record review with a doctor reviewing that and then providing documentation which we will then share 12 with the Trustees via a secure portal. And have 13 14 the Trustees either reject it, if they feel it is 01:15PM 15 necessary, and we'll then put that in a separate 16 file. If it is sort of a slam dunk and they can 17 approve it, as long as we get an affirmative vote 18 of five trustees by phone poll, then we will take action to initiate the benefit to that person or 19 that individual. 01:16PM 20 21 Subject to our normal motion, you will 22 see where we will do -- if it is, you know, an 23 Occupational Disability there will be Findings of 24 Facts that will be circulated to you consistent

	1	with our normal practice that you would adopt.
	2	There would be a request for reexam which you would
	3	adopt or pass. And we would then later, when we
	4	were able to reconvene at a portion where you are
01:16PM	5	all physically present in the room, we would again
	6	go through all of those with you. Make sure those
	7	are all re-ratified for the record. And make sure
	8	that the person then is not without benefits, if
	9	there is an interruption in our service.
01:16PM	10	We're going to try to refine that. We're
	11	going to refine that and finalize that over the
	12	next couple of days or a week after Steve has done
	13	all the things he needs to do to sort of protect
	14	the office and secure it. Making sure people get
01:17PM	15	their benefit payments. Then we will work on our
	16	procedures and get that around to everyone to make
	17	sure you are all comfortable.
	18	We would just ask all trustees to be
	19	patient and to be in connection hopefully with
01:17PM	20	their emails, which is how we will communicate with
	21	people.
	22	MEMBER VALENCIA: Thank you.
	23	MEMBER MARTIN: I would like to make a
	24	motion to spread the Executive Director's update

	1	regarding Fund operations.
	2	MEMBER MCPHILLIPS: Second.
	3	CHAIRMAN FORTUNA: Motion by Trustee
	4	Martin. Seconded by Trustee McPhillips. All in
01:17PM	5	favor?
	6	(Chorus of ayes.)
	7	CHAIRMAN FORTUNA: Opposed?
	8	Hearing none, motion carries.
	9	MEMBER MARTIN: Item 7, Legal.
01:17PM	10	Consideration of possible action regarding
	11	intercepts for employee contributions.
	12	Mary Pat, this is all yours.
	13	MS. BURNS: I am somewhat conflicted with
	14	all of the people on the phone on this one, but
01:18PM	15	what I would like to recommend on this one to my
	16	fire trustees is that the City has, as you know,
	17	done a really good job of getting money to this
	18	fund as it has to other funds, including the Muni
	19	Fund.
01:18PM	20	Jackie was in here this morning, and I
	21	asked her in front of Trustee Martin and in front
	22	of Steve, did she believe as she sat here today
	23	that the Firemen's Annuity Benefit Fund of Chicago
	24	had received every dollar due and owing from the

1 City for 2019 consistent with the stated amount in 2 Section 1-165 of the Pension Code and she answered 3 yes. I then asked her is it her opinion as she 4 01:19PM 5 sits here today, based on what she knows, as to whether the Firemen's Annuity and Benefit Fund of 6 7 Chicago received every dollar due and owing to the 8 Fund from the City with regard to the Brass Bill 9 payment for 2019 and she answered yes. 01:19PM 10 So I think we're in really good shape in 11 terms of you having met your fiduciary duties to 12 collect all monies due and owing to the Fund. 13 there is some still uncertainty in Jackie's mind 14 that she needs to reconcile with members of the 01:19PM 15 Comptroller's office. And she has started that process but due to circumstances beyond both the 16 17 Comptroller's office and Jackie's control, they 18 need a little more time to be able to make sure that they understand each others numbers and that 19 01:19PM 20 they make sure that we have in fact received 21 everything. Given Jackie's indication that she 22 23 doesn't believe we are at risk but still wanting to 24 have one last chance to deal with the City and

	1	confirm the numbers, it is our recommendation
	2	consistent with past practice of this fund that you
	3	give authority to the Executive Director to work in
	4	the next couple of weeks with myself and Sarah
01:20PM	5	Boeckman from my office to have conversations, if
	6	necessary, with Jackie and the Comptroller's
	7	office. And, if necessary, be ready at the end of
	8	March or the beginning of April to file an
	9	intercept, if needed.
01:20PM	10	So we would ask for the authority,
	11	because we don't know when we are going to meet
	12	again, but we wouldn't file anything with the State
	13	or take any action without first reporting back to
	14	this board what our intent is and what the facts
01:20PM	15	are that are disclosed.
	16	We would also, consistent with past
	17	practice, make sure not to file anything without
	18	first reaching out to the Comptroller's office and
	19	the City and making sure we have exhausted all
01:21PM	20	avenues available to us to resolve any conflicts
	21	before filing.
	22	But as you know, first in/first paid,
	23	based on the successful litigation that the
	24	Firemen's Fund had, and so we want to make sure

	1	that we are ready to go at the end of March, if
	2	necessary.
	3	MEMBER MARTIN: I'd like to make a motion
	4	to give the
01:21PM	5	CHAIRMAN FORTUNA: Hold on. Do you need
	6	a motion on this or is this just a recommendation,
	7	Mary Pat?
	8	MS. BURNS: No, I need a motion.
	9	MEMBER MARTIN: It involves the
01:21PM	10	expenditure of funds.
	11	Mr. President, I would like to make a
	12	motion to allow the Executive Director and Fund
	13	counsel to work to prepare and file the required
	14	intercept documents after consultation with the
01:21PM	15	City if and when it is determined that the funds
	16	are due for 2019 and are still owed by the City.
	17	Mr. President, that is my motion.
	18	MEMBER MCPHILLIPS: Second.
	19	CHAIRMAN FORTUNA: Motion by Trustee
01:22PM	20	Martin. Seconded by Trustee McPhillips. Any
	21	questions on this motion?
	22	MEMBER SONI: So just to make sure, we
	23	are all in agreement after Jackie's statement that
	24	the funds that were needed for the 2018 levy and

	1	2017 levy have been received in full?
	2	MS. BURNS: Unfortunately, Trustee Soni,
	3	that is not what she said. What she said is based
	4	on the statutory amount set forth in Section 6-165
01:22PM	5	of 235 million dollars that she believes 235
	6	million dollars were received in 2019.
	7	She is not sure how the City allocates
	8	that money but and so that is the open issue but
	9	she can report that 235 million was received in
01:22PM	10	2019.
	11	MEMBER SONI: So we met that requirement?
	12	MS. BURNS: I am not prepared to say
	13	that, that is why we need more time.
	14	All I can say factually is that we
01:23PM	15	received 235 million. How that money is allocated
	16	is dependent on a conversation between the City and
	17	Jackie.
	18	CHAIRMAN FORTUNA: Any more questions?
	19	There is a motion and a second. Roll
01:23PM	20	call.
	21	Trustee Martin.
	22	MEMBER MARTIN: Yes.
	23	CHAIRMAN FORTUNA: Trustee Soni.
	24	MEMBER SONI: Yes.

1	CUATOWAN HODBUNA: However workilling
1	CHAIRMAN FORTUNA: Trustee McPhillips.
2	MEMBER McPHILLIPS: Yes.
3	CHAIRMAN FORTUNA: Trustee Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee Murphy.
6	MEMBER MURPHY: Yes.
7	CHAIRMAN FORTUNA: Trustee Valencia.
8	MEMBER VALENCIA: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MS. BURNS: We will be back in touch with
12	you before we take any action notifying you of what
13	we intend to do.
14	Sir, unless there is any new business or
15	old business, I think you would be ready to
16	entertain a motion to adjourn.
17	MEMBER VALENCIA: Before we adjourn
18	this is Trustee Valencia. I just want to say that
19	I will probably be out for April and May. Yes, I
20	will be, if everything goes well. I am four weeks
21	from having this baby.
22	And I just wanted to say that I will see
23	you probably for the June meeting. I will be sure
24	to send photos your way to keep your spirits high

01:24PM

01:24PM

	1	during all of this and stay healthy and stay safe
	2	out there.
	3	MS. BURNS: Thank you, Trustee Valencia.
	4	Congratulations.
01:24PM	5	MEMBER VALENCIA: Thank you.
	6	MEMBER MARTIN: There being no further
	7	business to discuss, I make a motion to adjourn.
	8	MEMBER MCPHILLIPS: Second.
	9	CHAIRMAN FORTUNA: Motion to adjourn by
01:25PM	10	Trustee Martin. Seconded by Trustee McPhillips.
	11	All in favor?
	12	(Chorus of ayes.)
	13	CHAIRMAN FORTUNA: Motion carries.
	14	Thank you.
	15	
	16	(WHICH WERE ALL THE PROCEEDINGS
	17	IN THE ABOVE-ENTITLED MEETING
	18	AT THIS DATE AND TIME.)
	19	
	20	
	21	
	22	
	23	
	24	

1	STATE OF ILLINOIS)) SS.
2) SS. COUNTY OF DU PAGE)
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4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	<u>Debbie Tyrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
19	
20	
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0	13:14	AND [3] - 1:3, 2:17,	16:5	Chicago [4] - 1:13,
	6-165 [1] - 21:1	23:15	Benefits [1] - 8:22	3:6, 17:20, 18:4
011010 [1] - 11:7	6.1 [1] - 11:24	ANNA [1] - 2:8	between [1] - 21:13	Chief [1] - 2:21
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DEBBIE TYRRELL REPORTING SERVICE

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Trustees [2] - 15:10,

(630) 292-1742

1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF) SPECIAL AUDIO MEETING) No. 1072)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the audio meeting of the above-entitled matter,
12	held at 20 South Clark Street, Suite 300, in the
13	City of Chicago, County of Cook, State of Illinois,
14	on Wednesday, April 1, 2020, commencing at the hour
15	of 9:00 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

1	APPEARANCES
2	
3	PRESENT:
4	TIMOTHY McPHILLIPS, Active Trustee
5	MARY PATRICIA BURNS, Attorney
6	STEVEN R. SWANSON, Executive Director
7	
8	APPEARED TELEPHONICALLY:
9	
10	DANIEL FORTUNA, President and Annuitant Trustee
11	ANTHONY MARTIN, Secretary and Active Trustee
12	WILLIAM MURPHY, Active Trustee
13	
14	MELISSA CONYEARS-ERVIN, City Treasurer
15	ANNA VALENCIA, City Clerk
16	RESHMA SONI, City Comptroller
	ANNETTE NANCE-HOLT, Active Trustee
17	VINCENT PINELLI, Attorney for the Fund
18	LORI LUND, Administrative Coordinator
19	KRISTY MAUFAS, Assistant Administrative Coordinator
20	DANIEL G. SAMO, M.D., Board Physician MICHAEL I. PETERS, M.D., Board Physician
21	LEE ANN MCKAY
	MARK MYSLINSKI
22	
23	
24	

	1	MS. BURNS: This is the Special Audio
	2	Meeting of the Retirement Board of Trustees of the
	3	Firemen's Annuity and Benefit Fund of Chicago.
	4	The meeting is being conducted at 20
12:01PM	5	South Clark Street, but it is also being held by
	6	audio conference pursuant to the Executive Order
	7	signed by the Governor of the State of Illinois on
	8	March 16, 2020.
	9	In addition, in furtherance of the
12:02PM	10	Governor's Executive Order and the guidance
	11	provided to us by the Attorney General's Office of
	12	the State of Illinois with respect to the conduct
	13	of public meetings during this period of the
	14	pandemic, we are recording this meeting and expect
12:02PM	15	at some time in the future to have a transcript of
	16	the recording available on the Fund's website.
	17	To that end, the minutes are going to
	18	reflect that the Trustees after roll call are
	19	present even though most are attending by audio
12:02PM	20	conference. In addition, in those minutes we will
	21	reflect those members of the public who have
	22	identified themselves as being present for this
	23	hearing.
	24	If during the call any person joins the

	1	call or comes in while we are talking, we would ask
	2	them obviously to hold off interrupting the flow of
	3	testimony and instead allow us to get their name at
	4	the conclusion of the proceedings.
12:03PM	5	Further, consistent with the practices
	6	that were discussed with the Board at the last
	7	meeting, authority was delegated to Trustee Martin
	8	to work with outside counsel and the Executive
	9	Director to come up with a process that would meet
12:05PM	10	with the requirements of the Illinois Pension Code
	11	for the granting of disability benefits. That is
	12	what we have done in the interim and that is the
	13	process we intend to follow today.
	14	What we're going to do for the record is
12:05PM	15	we have the doctors on the phone. We may or may
	16	not have the applicants on the phone.
	17	When we start the hearings, Vince
	18	Pinelli, the attorney for the Fund, is going to
	19	summarize the factual evidence after the exhibits
12:05PM	20	have been admitted into evidence, assuming that
	21	they are admitted into evidence.
	22	When Vince summarizes the facts, he will
	23	refer to and only mention facts that are contained
	24	in the written records that have been submitted and

	1	will be considered by the Board.
	2	After that summary of the factual
	3	evidence, the doctor will be asked to testify. He
	4	will be subject to questioning by our lawyers and
12:06PM	5	our trustees.
	6	Again, we would ask the public if you are
	7	on the phone to mute your phone, if possible, so
	8	that everybody can hear the proceeding.
	9	At the end of the evidence, once Vince
12:06PM	10	concludes the evidence, then the Trustees will make
	11	the normal motions that they make and we will
	12	ultimately have written Findings of Fact and
	13	Conclusions of Law circulated.
	14	Those Findings of Fact and Conclusions of
12:06PM	15	Law, as the Trustees know, have been prepared and
	16	they are prepared with bracketed language either
	17	granting or denying the benefit.
	18	Once you make your decision, we will make
	19	sure that those documents are eventually circulated
12:06PM	20	for signature.
	21	However, a voice vote will be taken. We
	22	are going to do it by voice vote and not do it by
	23	roll call, unless any Trustees specifically ask for
	24	a roll call.

	1	The minutes, however, will reflect the
	2	Trustees on the phone voting in the affirmative so
	3	that we meet the requirement of the Code that five
	4	trustees approve each benefit.
12:07PM	5	So we're going to try to do this as
	6	expeditiously as possible to be able to get people
	7	off the phone, but at the same time maintain a
	8	level of due diligence for our important applicants
	9	and also comply with the Pension Code for the
12:07PM	10	taxpayers of the City and State of Illinois.
	11	With that, unless there are questions
	12	before we start, can anybody who is on the phone
	13	who has not identified themselves please do so now?
	14	MEMBER CONYEARS-ERVIN: Good morning.
12:07PM	15	Treasurer Conyears-Ervin.
	16	MS. BURNS: Good morning, Madam
	17	Treasurer.
	18	MS. BURNS: Trustee Soni, are you on the
	19	phone?
12:07PM	20	MEMBER SONI: Yes. I can only be on the
	21	phone for about 20 minutes.
	22	MS. BURNS: Trustee Valencia, are you on
	23	the phone?
	24	MEMBER VALENCIA: Yes, I am here.

	1	MS. BURNS: How are you feeling?
	2	MEMBER VALENCIA: Good. Ready to roll.
	3	MS. BURNS: We are all praying for you.
	4	Anybody else on the phone who hasn't
12:08PM	5	identified themselves?
	6	President Fortuna, just to summarize, I
	7	think we are ready to go, if you would have someone
	8	take roll. Would you like me to do it as long as I
	9	am here?
12:08PM	10	MEMBER FORTUNA: We're going to call the
	11	meeting to order at 9:08 and either Secretary
	12	Martin or yourself please do roll call.
	13	MS. BURNS: I will do the roll call.
	14	Trustee Holt.
12:08PM	15	MEMBER NANCE-HOLT: Present.
	16	MS. BURNS: Trustee Murphy.
	17	MEMBER MURPHY: Present.
	18	MS BURNS: Trustee McPhillips.
	19	MEMBER MCPHILLIPS: Present.
12:08PM	20	MS. BURNS: Trustee Martin.
	21	MEMBER MARTIN: Present.
	22	MS. BURNS: Trustee Valencia.
	23	MEMBER VALENCIA: Present.
	24	MS. BURNS: Trustee Conyears-Ervin

	1	MEMBER CONYEARS-ERVIN: Present.
	2	MS. BURNS: President Fortuna.
	3	CHAIRMAN FORTUNA: Present.
	4	MS BURNS: Trustee Soni.
12:08PM	5	MEMBER SONI: Present.
	6	MS. BURNS: We have all of the trustees
	7	present.
	8	Mr. President, you are ready to begin.
	9	MEMBER MARTIN: Do we have request of
12:09PM	10	members of the public to address the Board.
	11	Does anybody on the phone choose to
	12	address the Board?
	13	Hearing none, we will move on to Item 2-A
	14	Consideration of approval of the following matters.
12:09PM	15	We are going to consider the Occupational
	16	Disease Disability for EMT Battalion Chief Michael
	17	A. Carbone, 1st District,
	18	Without anything further, Vince will be
	19	conducting this hearing.
12:10PM	20	MR. PINELLI: Thank you, Mr. Secretary.
	21	As you indicated, this is a hearing on the
	22	application for Occupational Disease Disability
	23	benefit being made by Michael Carbone.
	24	Before we proceed, I would seek to move

	1	for admission of what's been marked as Board
	2	Exhibits 1 through 12, which have previously been
	3	distributed to the Trustees.
	4	Mr. Chairman, I move for admission of
12:11PM	5	those documents.
	6	CHAIRMAN FORTUNA: They are admitted
	7	without objection.
	8	MR. PINELLI: Thank you.
	9	(Board Exhibits 1 through 12 were
12:11PM	10	admitted into evidence.)
	11	MR. PINELLI: For purposes of the
	12	Trustees, I would just indicate by way of summary
	13	that Chief Carbone is applying for an Occupational
	14	Disease Disability benefit based upon a heart
12:11PM	15	condition that he has.
	16	He suffered a heart attack at home, not
	17	on duty, on February 6th of 2019. As a result of
	18	that, he was treated, he underwent a surgery and
	19	had stents implanted at Lutheran General Hospital.
12:11PM	20	He has subsequently undergone treatment
	21	for that condition and still is experiencing
	22	episodic hypertension events.
	23	He entered service with the Fire
	24	Department in 1990. He, therefore, had more than
	J	

	1	seven years of service and the records indicate
	2	that he developed this heart condition during the
	3	time he has been in service with the Fire
	4	Department. He did not have it before he came on
12:12PM	5	the Department.
	6	That in sum and substance is a summary of
	7	the facts from the medical records and exhibits.
	8	If there are no questions on that, then I
	9	would move to call the doctor, Doctor Peters, the
12:12PM	10	Fund's Physician/Consultant to testify.
	11	MS. BURNS: Before that happens, Doctor
	12	Peters, and maybe Doctor Samo do it at the same
	13	time, would you both raise your right hands and be
	14	sworn in?
	15	(Witnesses sworn.)
	16	MS. BURNS: The record is going to
	17	reflect that both the doctors were sworn and both
	18	answered in the affirmative.
	19	MICHAEL I. PETERS, M.D.
	20	a witness herein, having been first duly sworn, was
	21	examined and testified as follows:
	22	EXAMINATION
	23	BY MR. PINELLI:
	24	Q Doctor Peters, would you please just

	1	state your name for the record?
	2	A Michael I. Peters.
	3	Q And you are a physician; is that correct?
	4	A Yes.
12:13PM	5	Q Are a copy of your qualifications as a
	6	physician are attached to the Board Exhibits; is
	7	that correct?
	8	A Yes.
	9	Q Do you perform a function as a consultant
12:13PM	10	to this fund in which you examine applicants,
	11	review medical records and report to the Board?
	12	A Yes, I do.
	13	Q And then do you follow that up with a
	14	written report that you submit to the Board with
12:13PM	15	your findings?
	16	A Yes.
	17	Q Is a copy of your written report
	18	submitted to the board as Board Exhibit Number 2?
	19	A Yes, it is.
12:13PM	20	Q Did you follow your procedures as a
	21	consultant with respect to this applicant Mr.
	22	Carbone?
	23	A Yes, I did.
	24	Q Doctor, can you please just summarize for

us, if you would, the history of his medical 1 2 condition and his treatment. 3 Chief Carbone suffered an acute anterior 4 wall myocardial infarction while he was at home on 12:14PM 5 February 6, 2019. He went to the Cardiac Cath Lab at 6 7 Lutheran General. It showed a 100 percent occlusion of his left anterior descending coronary 8 9 artery. 10 He had two stents placed. Initially had 12:14PM 11 a reduced injection fraction, which has recovered. He's on lifelong aspirin therapy and he is on 12 anti-hypertensive medications but he has had 13 14 episodic elevations of his blood pressure. 12:14PM 15 During his rehabilitation, he had a fall 16 with a left rotator cuff injury, which he reports 17 has recovered. Although, MRI shows that he has a 18 tear and was advised to have surgery. Chief 19 Carbone has chosen not to have surgery at this 12:15PM 20 time. 21 Q Doctor, to your knowledge, based on your 22 experience, do the standards of the National Fire 23 Protection Act indicate that it is not recommended 24 that a firefighter with his history of the heart

	1	condition and stent placement continue to perform
	2	full fire fighting duties?
	3	A Per the NFPA, he is unable to return to
	4	full fire fighting duties because of his history of
12:15PM	5	a MI with stents.
	6	MR. PINELLI: Thank you. That is all the
	7	questions I have of the doctor at this time.
	8	CHAIRMAN FORTUNA: Trustees, any
	9	questions of the doctor?
12:15PM	10	MEMBER MARTIN: None.
	11	MS. BURNS: We are lucky enough to have
	12	Mr. Carbone on the phone. Maybe just ask if he
	13	would like to add anything.
	14	CHAIRMAN FORTUNA: Chief Carbone, would
12:16PM	15	you like to add anything?
	16	MR. CARBONE: No, ladies and gentlemen, I
	17	would not.
	18	MR. PINELLI: Thank you.
	19	MEMBER MARTIN: I would like to make a
12:16PM	20	motion to grant.
	21	MEMBER MCPHILLIPS: Second.
	22	CHAIRMAN FORTUNA: Motion to grant by
	23	Trustee Martin. Seconded by Trustee McPhillips.
	24	Trustee Martin.

	1	MEMBER MARTIN: Yes.
	2	CHAIRMAN FORTUNA: Trustee Soni.
	3	MEMBER SONI: Yes.
	4	CHAIRMAN FORTUNA: Trustee
	5	Conyears-Ervin.
	6	MEMBER CONYEARS-ERVIN: Yes.
	7	CHAIRMAN FORTUNA: Trustee McPhillips.
	8	MEMBER McPHILLIPS: Yes.
	9	CHAIRMAN FORTUNA: Trustee Holt.
	10	MEMBER NANCE-HOLT: Yes.
	11	CHAIRMAN FORTUNA: Trustee Murphy.
	12	MEMBER MURPHY: Yes.
	13	CHAIRMAN FORTUNA: Trustee Valencia.
	14	MEMBER VALENCIA: Yes.
12:16PM	15	CHAIRMAN FORTUNA: And I am a yes.
	16	MS. BURNS: It should be shown as a
	17	unanimous vote.
	18	CHAIRMAN FORTUNA: I would look for a
	19	motion for reexam.
12:17PM	20	MEMBER MARTIN: I would like to make a
	21	motion for reexam consistent with the Board's
	22	existing policy.
	23	MEMBER NANCE-HOLT: I will second that.
	24	CHAIRMAN FORTUNA: Motion for reexam by

	1	Trustee Martin. There is a second by Trustee Holt.
	2	All in favor?
	3	(Chorus of ayes.)
	4	CHAIRMAN FORTUNA: Motion carries.
12:17PM	5	Trustee Martin, I would entertain a
	6	motion to adopt the Findings of Facts, please.
	7	MEMBER MARTIN: I'd like to make a motion
	8	to adopt the Findings of Fact as distributed by
	9	Fund counsel.
12:17PM	10	MEMBER MCPHILLIPS: Second.
	11	CHAIRMAN FORTUNA: Motion by Trustee
	12	Martin. Seconded by Trustee McPhillips.
	13	All in favor?
	14	(Chorus of ayes.)
12:17PM	15	CHAIRMAN FORTUNA: Opposed?
	16	Hearing none, motion passes.
	17	Mr. Carbone, based on the Findings of
	18	Fact made by the Trustees, the Trustees have voted
	19	to grant the benefit you have requested.
12:18PM	20	You will be notified by mail of the
	21	Findings of Fact and the Board's decision.
	22	Thank you, very much.
	23	MR. CARBONE: Thank you President Fortuna
	24	and the Board.

	1	MR. PINELLI: We also have Mr. O'Connor
	2	on the phone so Trustees know.
	3	MEMBER MARTIN: Let the record reflect
	4	that this is the Occupational Disease Disability
12:18PM	5	application for EMT Captain Kevin O'Connor, Second
	6	District Relief.
	7	Without anything further, Vince, you're
	8	conducting this hearing. Take it away.
	9	MR. PINELLI: Thank you, Mr. Secretary.
12:18PM	10	This is the hearing on the application
	11	for an Occupational Disease Disability benefit
	12	being made by Captain Kevin O'Connor on today's
	13	date.
	14	I would first initially, Mr. Chairman,
12:18PM	15	move for admission of Board Exhibits 1 through 11
	16	at this time.
	17	CHAIRMAN FORTUNA: Admitted without
	18	objection.
	19	MR. PINELLI: Thank you.
12:19PM	20	(Board Exhibits 1 through 11 were
	21	admitted into evidence.)
	22	MR. PINELLI: Then just to summarize for
	23	the Board, Captain O'Connor is applying for this
	24	Occupational Disease Benefit.

	1	He entered the service of the Fire
	2	Department in 1998. So, therefore, he has more
	3	than seven years of service.
	4	He developed a heart condition during the
12:19PM	5	time he has been in service with the fire
	6	department or since he began service with the fire
	7	department and he is applying for this benefit
	8	based upon a heart condition known as
	9	cardiomyopathy which is a disease of the heart.
12:19PM	10	So at this time I would seek to call
	11	Doctor Samo to testify, who I believe has been
	12	sworn to testify.
	13	(Witness previously sworn.)
	14	DANIEL SAMO, M.D.
	15	a witness herein, having been first duly sworn, was
	16	examined and testified as follows:
	17	EXAMINATION
	18	BY MR. PINELLI:
	19	Q Doctor Samo, would you please state your
12:20PM	20	name?
	21	A Daniel Samo.
	22	Q You are a physician; is that correct?
	23	A Yes.
	24	Q And are a copy of your qualifications as
		DEDDIE MYDDELL DEDODMING GEDUIGE

	1	such attached to the Board Exhibits?
	2	A Yes.
	3	Q And you perform a function as a
	4	consultant to this fund in which you review medical
12:20PM	5	records, examine applicants and report to the
	6	Board?
	7	A Yes.
	8	Q Did you file that procedure with respect
	9	to Captain O'Connor?
12:20PM	10	A Yes.
	11	Q You submitted a written report to the
	12	Board that is marked as Board Exhibit Number 2; is
	13	that correct?
	14	A Yes.
12:20PM	15	Q Doctor Samo, could you please summarize
	16	for us what is the medical condition that he has
	17	and his current condition?
	18	A His medical condition is that he has
	19	dilated cardiomyopathy. In other words, his heart
12:20PM	20	is big and wasn't pumping well. Apparently it
	21	began in the end of summer or fall of 2019 when he
	22	began having some mild symptoms.
	23	They got worse towards the end of 2018
	24	and he saw his cardiologist and testing showed that

	1	he had a severe dilation and abnormal function of
	2	the left side of his heart.
	3	He did not have anything that would
	4	explain why it happened. No atrial fibrillation.
12:21PM	5	No occlusion. No alcohol consumption.
	6	And he did have a cardiac catheterization
	7	which showed no significant coronary artery disease
	8	so that is why it is called a nonischemic
	9	cardiomyopathy.
12:21PM	10	It was thought it possibly could reverse
	11	itself and so he was treated with something called
	12	a life vest, which is basically an external
	13	defibrillator that you wear 24/7 in case he does
	14	have an arrhythmia or a sudden cardiac death.
12:22PM	15	But further testing showed that his
	16	condition did not improve and that they recommended
	17	an implantable cardioverter-defibrillator; an ICD.
	18	He elected to try a full nine month medical trial
	19	realizing that if he had the ICD that he would not
12:22PM	20	be able to return to work as a firefighter.
	21	As I said, he did not really improve
	22	significantly and he continues to have abnormal
	23	testing, which puts him at-risk, significant risk,
	24	for sudden incapacitation due to an arrythmia or

	1	sudden death.
	2	As of the time I saw him, he had not had
	3	the ICD placed.
	4	Q Doctor, just to be clear then, the
12:23PM	5	condition he has is a disease of the heart that
	6	effects the functioning of the heart; is that
	7	correct?
	8	A Correct.
	9	Q Okay. And, obviously, in his current
12:23PM	10	condition would you recommend that he return to
	11	full fire fighting duties?
	12	A No.
	13	MR. PINELLI: Thank you, doctor. That is
	14	all the questions I have at this time.
12:23PM	15	CHAIRMAN FORTUNA: Trustees, any
	16	questions for Doctor Samo? Hearing none.
	17	MR. PINELLI: Mr. O'Connor, do you want
	18	to say something?
	19	MR. O'CONNOR: I have nothing to add.
12:23PM	20	Thank you, Mr. President.
	21	MEMBER MARTIN: I would like to make a
	22	motion to grant.
	23	MEMBER McPHILLIPS: Second.
	24	CHAIRMAN FORTUNA: Motion to grant by

1	Trustee Martin. Seconded by Trustee McPhillips.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	MEMBER MARTIN: Motion for reexam
19	consistent with our policy.
20	MEMBER MCPHILLIPS: Second.
21	CHAIRMAN FORTUNA: Motion for reexam by
22	Trustee Martin. Seconded by Trustee McPhillips.
23	All in favor?
24	CHAIRMAN FORTUNA: Opposed.

12:24PM

	1	Hearing none, motion carries.
	2	MEMBER MARTIN: I'd like to make a motion
	3	to adopt the Findings of Fact as distributed by
	4	Fund counsel.
12:24PM	5	MEMBER MCPHILLIPS: Second.
	6	CHAIRMAN FORTUNA: Motion by Trustee
	7	Martin. Seconded by Trustee McPhillips.
	8	All in favor?
	9	(Chorus of ayes.)
12:25PM	10	CHAIRMAN FORTUNA: Opposed?
	11	Hearing none, motion carries.
	12	Based on the Findings of Fact and
	13	conclusions of law made by the Trustees, the
	14	Trustees have voted to grant you the benefit you
09:57AM	15	have requested.
	16	You will be notified by mail of the
	17	Findings of Fact and the Board's decision.
	18	Thank you and good luck.
	19	MR. O'CONNOR: Thank you.
12:30PM	20	MEMBER MARTIN: This is the Duty
	21	Disability application for Kristy M. Gaichas,
	22	Ambulance Commander, Ambulance 79.
	23	Without anything further, Vince.
	24	MR. PINELLI: Okay. Just so I am clear,

	1	I don't believe I heard that she was on the call,
	2	is that correct, or has she joined the call?
	3	MS. GAICHAS: I am on the call.
	4	MR. PINELLI: Thank you for identifying
12:30PM	5	yourself.
	6	Let the record reflect that this is a
	7	hearing on the application for a Duty Disability
	8	benefit being made by Kristy Gaichas on today's
	9	date.
12:30PM	10	Mr. Chairman, I would move first of all
	11	for Board Exhibits 1 through 14 at this time.
	12	CHAIRMAN FORTUNA: Admitted without
	13	objection.
	14	MR. PINELLI: Thank you.
12:31PM	15	(Board Exhibits 1 through 14
	16	were admitted into evidence.)
	17	MR. PINELLI: To summarize for the
	18	Trustees, Ambulance Commander Gaichas was working
	19	on February 11, 2019 when she was attempting to
12:32PM	20	access a patient at a building.
	21	She fell down stairs and injured various
	22	parts of her body, including her right foot. She
	23	was immediately transported by ambulance at that
	24	time to Little Company of Mary Hospital where she

	1	was treated for her injuries.
	2	Subsequent to that date the treatment
	3	included various surgeries, including a surgery on
	4	her right foot.
12:32PM	5	By way of history, she had had a prior
	6	duty related injury to her right foot in 2009,
	7	which she was able to recover from and return to
	8	work.
	9	Following the surgery for this incident,
12:32PM	10	she has continued to have problems making a full
	11	recovery from her right foot injury.
	12	At this time I would seek to call the
	13	doctor to testify.
	14	(Witness previously sworn.)
	15	DANIEL SAMO, M.D.
	16	a witness herein, having been first duly sworn, was
	17	examined and testified as follows:
	18	EXAMINATION
	19	BY MR. PINELLI:
12:33PM	20	Q You have previously been sworn, Doctor
	21	Samo; is that correct?
	22	A Yes.
	23	Q Just restate for the record your name.
	24	A Daniel Samo.

	1	Q And you are a physician whose
	2	qualifications are attached to the Board Exhibits?
	3	A Yes.
	4	Q And you perform a function to this Fund
12:33PM	5	in which you examine applicants, review medical
	6	records and report to the Board; is that correct?
	7	A Yes.
	8	Q You followed that procedure with respect
	9	to Kristy Gaichas?
12:33PM	10	A Yes.
	11	Q Did you file a written report with the
	12	Board that is marked as Board Exhibit Number 2?
	13	A Yes.
	14	Q Doctor, could you please summarize for
12:33PM	15	the Trustees the condition that Ms. Gaichas
	16	experienced and what her current situation is?
	17	A So as a result of her injuries to her
	18	foot, she ended up having a fusion of the MTP joint
	19	of her right great toe. The MTP joint is the one
12:34PM	20	between the toe and the foot.
	21	She had had surgery to that joint in 2009
	22	and had a prosthesis placed at that time.
	23	And after the fall, she stated she was
	24	having pain in her shoulder, in her hip, and that

1 was the main pain that she had, but she was also 2 having pain in the foot. 3 She finally saw her orthopedist Doctor 4 Garras, the foot specialist. And she was tender on 12:34PM 5 the outside of her foot, but when xrays showed that 6 the prosthesis, which is of the great toe, was 7 displaced and so surgery was done and the fusion 8 was done. 9 Her other injuries; the shoulder, the 12:35PM 10 knee, all resolved, but she continues to have pain 11 in her foot and the great toe and it was impairing her ability to do tasks. She had constant swelling 12 13 which she wears compression hose. She can't run at 14 all. She is okay going up stairs but not down 12:35PM 15 stairs. She needs to really hold on if she's going 16 down stairs and she is able to drive. 17 Last CT scan showed that she did have a 18 bony fusion. The plan was that they were going to take out the prosthesis since her bony fusion was 19 12:35PM 20 stable and that might help relieve some of her pain 21 symptoms. 22 At this point she is going to have 23 difficulty pushing off of or putting any pressure 24 on her great toe and especially going down stairs,

	1	especially if carrying anything heavy like a
	2	stretcher, and would have trouble standing on her
	3	tippy toes. Since she is five foot zero, she needs
	4	to do that fairly frequently.
12:36PM	5	Q Doctor, based upon the description you
	6	just gave of the symptoms she is still experiencing
	7	following the surgery, do you feel that she could
	8	perform her functions with the fire department?
	9	A No.
12:36PM	10	MR. PINELLI: Thank you. That is all the
	11	questions I have of the doctor.
	12	CHAIRMAN FORTUNA: Trustees, any
	13	questions for the doctor?
	14	MEMBER MARTIN: No questions.
12:36PM	15	CHAIRMAN FORTUNA: Hearing none.
	16	MEMBER MARTIN: I would like to make a
	17	motion to grant.
	18	MR. PINELLI: Does Ms. Gaichas want to
	19	say anything for the record?
12:37PM	20	MS. GAICHAS: I do not.
	21	MR. PINELLI: Thank you.
	22	Go ahead, Trustee Martin.
	23	MEMBER MARTIN: I have a motion to grant.
	24	MEMBER MCPHILLIPS: Second.

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1	CHAIRMAN FORTUNA: There is a motion to
2	grant by Trustee Martin. Seconded by Trustee
3	McPhillips.
4	Trustee Martin.
5	MEMBER MARTIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee McPhillips.
12	MEMBER McPHILLIPS: Yes.
13	CHAIRMAN FORTUNA: Trustee Holt.
14	MEMBER NANCE-HOLT: Yes.
15	CHAIRMAN FORTUNA: Trustee Murphy.
16	MEMBER MURPHY: Yes.
17	CHAIRMAN FORTUNA: Trustee Valencia.
18	MEMBER VALENCIA: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	MEMBER MARTIN: Motion for reexam
21	consistent with the Board's policy.
22	MEMBER MCPHILLIPS: Second.
23	CHAIRMAN FORTUNA: There is a motion by
24	Trustee Martin. Seconded by Trustee McPhillips.

12:37PM

	1	All in favor?
	2	(Chorus of ayes.)
	3	CHAIRMAN FORTUNA: Motion carries.
	4	MEMBER MARTIN: I'd like to make a motion
12:38PM	5	to adopt the Findings of Fact distributed by Fund
	6	counsel.
	7	MEMBER MCPHILLIPS: Second.
	8	CHAIRMAN FORTUNA: Motion by Trustee
	9	Martin. Seconded by Trustee McPhillips.
12:38PM	10	All in favor?
	11	(Chorus of ayes.)
	12	CHAIRMAN FORTUNA: Motion carries.
	13	Based on the Findings of Fact and
	14	conclusions of law made by the Trustees, the
09:57AM	15	Trustees have voted to grant you the benefit you
	16	have requested.
	17	You will be notified by mail of the
	18	Findings of Fact and the Board's decision.
	19	Thank you and good luck.
12:39PM	20	MS. GAICHAS: Thank you very much.
	21	MEMBER MARTIN: Let the record reflect
	22	this is the Occupational Disease Disability
	23	application for EMT Peter Krouse, Engine 65.
	24	Vince.

	1	MR. PINELLI: Thank you, Mr. Secretary.
	2	This is the application for Occupational
	3	Disease Disability benefit being made by Engineer
	4	Peter Krouse pursuant to 40 ILCS 56-151.2, which
12:26PM	5	allows for an application by a Firefighter before
	6	they exhaust their right to salary under the
	7	circumstances where the Firefighter is terminally
	8	ill.
	9	I would move first of all for admission
12:26PM	10	of Board's Exhibits 1 through 9, Mr. Chairman.
	11	CHAIRMAN FORTUNA: Exhibits are admitted
	12	without objection.
	13	MR. PINELLI: Thank you.
	14	(Board Exhibits 1 through 9 were
12:27PM	15	admitted into evidence.)
	16	MR. PINELLI: For the benefit of the
	17	Trustees, Mr. Krouse was on layup. He was
	18	diagnosed with a terminal illness of renal cancer.
	19	Pursuant to the statute, he was allowed
12:27PM	20	to apply for his benefit on January 29th of 2020
	21	and unfortunately he passed away on February 12th
	22	of 2020 as a result of that disease.
	23	He entered service in 1999 and,
	24	therefore, had more than seven years of service.

	1	And the records indicate that he developed the
	2	cancer during the time that he was in service with
	3	the Fire Department.
	4	At this time I would move to call doctor
12:27PM	5	Peters for a brief question.
	6	(Witness previously sworn.)
	7	MICHAEL I. PETERS, M.D.
	8	a witness herein, having been first duly sworn, was
	9	examined and testified as follows:
	10	EXAMINATION
	11	BY MR. PINELLI:
	12	Q Doctor Peters, you have previously been
	13	sworn and we know that you perform a function as a
	14	consultant to this fund.
12:28PM	15	You were not able to examine Mr. Krouse;
	16	is that correct?
	17	A Yes.
	18	Q But you did do a review of the medical
	19	records; is that correct?
12:28PM	20	A Yes, I did.
	21	Q Based on your review of the medical
	22	records, did it indicate that he was suffering from
	23	a terminal illness at the time he applied for this
	24	benefit in January of 2020?

	1	A Yes, he was.
	2	Q That condition was renal cancer; is that
	3	correct?
	4	A That's correct.
12:28PM	5	Q And based upon your experience, knowledge
	6	and training is that the type of cancer that may be
	7	caused by exposure to heat, radiation or a known
	8	carcinogen as defined by the International Agency
	9	for Research on Cancer?
12:28PM 1	0	A Yes, it is.
1	1	MR. PINELLI: Thank you. I have no
1	2	further questions of the doctor.
1	3	CHAIRMAN FORTUNA: Trustees, any
1	4	questions for the doctor? Hearing none.
12:29PM 1	5	MEMBER MARTIN: Mr. President, I would
1	6	like to make a motion to grant.
1	7	MEMBER MCPHILLIPS: Second.
1	8	CHAIRMAN FORTUNA: Motion to grant by
1	9	Trustee Martin. Seconded by Trustee McPhillips.
2	0	Trustee Martin.
2	1	MEMBER MARTIN: Yes.
2	2	CHAIRMAN FORTUNA: Trustee Soni.
2	3	MEMBER SONI: Yes.
2	4	CHAIRMAN FORTUNA: Trustee

	1	Conyears-Ervin.
	2	MEMBER CONYEARS-ERVIN: Yes.
	3	CHAIRMAN FORTUNA: Trustee McPhillips.
	4	MEMBER McPHILLIPS: Yes.
	5	CHAIRMAN FORTUNA: Trustee Holt.
	6	MEMBER NANCE-HOLT: Yes.
	7	CHAIRMAN FORTUNA: Trustee Murphy.
	8	MEMBER MURPHY: Yes.
	9	CHAIRMAN FORTUNA: Trustee Valencia.
	10	MEMBER VALENCIA: Yes.
	11	CHAIRMAN FORTUNA: And I am a yes.
	12	MEMBER MARTIN: I'd like to adopt the
	13	Findings of Facts distributed by Fund counsel.
	14	MEMBER NANCE-HOLT: Second.
12:29PM	15	CHAIRMAN FORTUNA: Motion by Trustee
	16	Martin to adopt the Findings of Fact. Seconded by
	17	Trustee Holt.
	18	All in favor?
	19	(Chorus of ayes.)
12:29PM	20	CHAIRMAN FORTUNA: Opposed?
	21	Motion carries.
	22	For the record, based on the Findings of
	23	Fact made by the Trustees, the Trustees have voted
	24	to grant this benefit.

	1	MEMBER MARTIN: I don't think we have
	2	anything left on the agenda.
	3	CHAIRMAN FORTUNA: You can look at Old
	4	Business or New Business, if there is anybody that
12:39PM	5	has anything to say.
	6	MEMBER MARTIN: Not at this time.
	7	CHAIRMAN FORTUNA: Then I would look for
	8	a motion to adjourn.
	9	MEMBER MARTIN: Motion to adjourn.
12:39PM	10	MEMBER MCPHILLIPS: Second.
	11	CHAIRMAN FORTUNA: Motion by Trustee
	12	Martin. Second by Trustee McPhillips. All in
	13	favor?
	14	(Chorus of ayes.)
	15	CHAIRMAN FORTUNA: Motion carries.
	16	
	17	(WHICH WERE ALL THE PROCEEDINGS
	18	IN THE ABOVE-ENTITLED MEETING
	19	AT THIS DATE AND TIME.)
	20	
	21	
	22	
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	24	

1	STATE OF ILLINOIS)) SS.
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	Debaie Typrell DEBBIE TYPRELL, CSR
18	License No. 084-001078
19	
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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF) REGULAR AUDIO MEETING NO. 1073)
8	MIGGELIN MODEL MELLING NO. 1075 ,
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the audio Zoom meeting of the above-entitled
12	matter, held at 20 South Clark Street, Suite 300,
13	in the City of Chicago, County of Cook, State of
14	Illinois, on Wednesday, April 15, 2009, commencing
15	at the hour of 8:30 a.m.
16	
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1	AUDIO ZOOM APPEARANCES
2	BOARD MEMBERS:
3	DANIEL FORTUNA, President and
4	Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY MCPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	·
10	RESHMA SONI, City Comptroller
11	ATTORNEYS FOR THE BOARD:
12	
13	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS
14	MR. VINCENT PINELLI
15	ALSO PRESENT:
16	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
17	LORNA SCOTT, Chief Investment Officer JACKIE MCALLISTER, Comptroller
18	JOHN CONNESS, Fund Accountant
19	MARC TORRES, IT Systems Analyst DANIEL G. SAMO, M.D., Board Physician
20	MICHAEL I. PETERS, M.D., Board Physician BRADY O'CONNELL, Callan Associates
21	
22	
23	
24	

	1	MEMBER MARTIN: Roll call. Trustee
	2	Fortuna.
	3	CHAIRMAN FORTUNA: Here.
	4	MEMBER MARTIN: Trustee Soni.
	5	MEMBER SONI: Here.
	6	MEMBER MARTIN: Trustee Conyears-Ervin.
	7	MEMBER CONYEARS-ERVIN: Here.
	8	MEMBER MARTIN: Trustee McPhillips.
	9	MEMBER McPHILLIPS: Here.
	10	MEMBER MARTIN: Trustee Murphy.
	11	MEMBER MURPHY: Here.
	12	MEMBER MARTIN: Is there anyone else I am
	13	missing?
	14	MS. BURNS: You, Trustee Martin.
11:43AM	15	MEMBER MARTIN: Present. I am here.
	16	MS. BURNS: We have six of our eight
	17	trustees present.
	18	MEMBER MARTIN: We are going to move on
	19	to President's remarks. Dan.
11:43AM	20	CHAIRMAN FORTUNA: I just want to express
	21	the condolences of not only myself but for the
	22	entire Board for Firefighter Araujo from Truck 25,
	23	who passed away from the Covid-19 virus. And I
	24	believe that, Timmy, you came on the job with him,

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	1	public comments. Consistent with Public Act
	2	91-0715, and reasonable constraints determined by
	3	the Board of Trustees, at each Regular Meeting of
	4	the Board or its committees that is open to the
11:44AM	5	public. Members of the public may request a brief
	6	time to address the Board on relevant matters
	7	within its jurisdiction.
	8	Are there any requests from the public to
	9	comment today?
11:45AM	10	Okay. Seeing none, we are going to move
	11	on to Item 2, which is Approval of Minutes, under
	12	Administrative Items. Approval of Minutes from the
	13	Regular Meeting from February 19, 2020. I make a
	14	motion to approve.
11:45AM	15	MEMBER MCPHILLIPS: Second.
	16	CHAIRMAN FORTUNA: There is a motion to
	17	approve by Trustee Martin. Seconded by Trustee
	18	McPhillips. All in favor?
	19	(Chorus of ayes.)
11:45AM	20	CHAIRMAN FORTUNA: Opposed?
	21	Hearing none, motion carries.
	22	Go ahead.
	23	MEMBER MARTIN: Mr. President, I would
	24	also like to make a motion to approve the minutes

	1	of the Audio Meeting from March 15, 2020. Motion
	2	to approve.
	3	MEMBER MCPHILLIPS: Second.
	4	CHAIRMAN FORTUNA: There's a motion to
11:45AM	5	approve by Trustee Martin. Seconded by Trustee
	6	McPhillips. All in favor?
	7	(Chorus of ayes.)
	8	CHAIRMAN FORTUNA: Opposed?
	9	Hearing none, motion carries.
11:46AM	10	MEMBER MARTIN: Mr. President, moving on
	11	to Item 2-B. I'd like to approve the Minimum
	12	Formula Annuities as presented by Fund staff.
	13	MEMBER MCPHILLIPS: Second.
	14	CHAIRMAN FORTUNA: There is a motion to
11:46AM	15	approve Minimum Formula Annuities by Trustee
	16	Martin. Seconded by Trustee McPhillips. All in
	17	favor?
	18	(Chorus of ayes.)
	19	CHAIRMAN FORTUNA: Opposed?
11:46AM	20	Hearing none, motion carries.
	21	MEMBER MARTIN: Mr. President, moving on
	22	to Item 2-C approval of Widows and Children's
	23	Annuities as presented by Fund staff to the Board.
	24	MEMBER MCPHILLIPS: Second.

	1	CHAIRMAN FORTUNA: There's a motion to
	2	approve by Trustee Martin. Seconded by Trustee
	3	McPhillips. All in favor?
	4	(Chorus of ayes.)
11:46AM	5	CHAIRMAN FORTUNA: Opposed?
	6	Hearing none, motion carries.
	7	MEMBER MARTIN: Mr. President, moving to
	8	Item 2-D, we have a request for Refunds. Mr.
	9	President, I am going to make a motion to approve
11:47AM	10	but I would like Mary Pat to discuss the one issue
	11	with respect to Refunds.
	12	CHAIRMAN FORTUNA: Okay. We are going to
	13	make a motion to approve by Trustee Martin. Is
	14	there a second?
11:47AM	15	MEMBER MCPHILLIPS: I will second that
	16	but is Mary Pat going to say anything about this?
	17	MS. BURNS: I am. I am going to walk you
	18	through this one particular issue.
	19	CHAIRMAN FORTUNA: We're going into
11:47AM	20	questions. We'll go into questions right after the
	21	second. Okay. There is a second by Trustee
	22	McPhillips. Any questions?
	23	Please, go ahead, Mary Pat.
	24	MS. BURNS: Alright. Thank you, Mr.

1 President.

11:48AM

11:48AM

11:48AM

11:48AM

This matter involves one of our members and this member has made a formal request of the Fund for a refund of his contributions.

The reason that we are breaking this out from our normal Refunds, which we tend to do on a routine basis, is that this individual would not be entitled to a refund under the provisions of the Illinois Pension Code because he is over 50 years of age.

And, Lori, please jump in if you want to add anything because she has worked with me very closely on this matter.

The reason we are entertaining and asking you to consider this request for a refund is that the member applied back in 2016 I believe for an Earned Annuity.

At that time our then Executive Director, after consulting with counsel, me, indicated to this member, Mr. Saez, in writing that he would be required to have a hearing on whether or not his felony conviction for calling in a false fire alarm at a nightclub in Chicago, which required six or seven trucks to respond, which allegedly he called

	1	in under circumstances where he was denied entry to
	2	the nightclub and therefore was trying to get even
	3	with them, whether or not that activity, of which
	4	he was convicted of a Class 4 felony, was one that
11:49AM	5	related to, arose out of or was connected with his
	6	employment in such a manner that would require him
	7	to forfeit his pension under Section 6-221 of the
	8	Pension Code.
	9	And so after the Fund told Mr. Saez that
11:49AM	10	back in 2016 he did nothing. The request for an
	11	annuity just kind of sat out there.
	12	Now allegedly the member is in desperate
	13	need for his refund. He wants and needs the
	14	Refund. In order to be able to get the refund,
11:49AM	15	because of the weird nuance in our Pension Code, he
	16	would only be entitled to the refund if he loses
	17	his pension as a result of a felony conviction, in
	18	which case he would be entitled to a refund of his
	19	contributions. That is clear law which has been on
11:50AM	20	the books since the Shield's case.
	21	So Mr. Saez has asked the Board today to
	22	do two things. One, to accept his request for a

refund. In order to be able to do that, he knows

that you're going to have to find as a matter of

23

24

law that his felony conviction for calling in the false fire alarm, for which he served two years probation but still was a felony on his record, was "related to, arose out of or was in connection with his employment as a firefighter."

11:50AM

11:50AM

11:51AM

11:51AM

So given the fact that we are in this weird world; given the fact that we didn't have a lot of time to prepare the record; and, given the fact that Mr. Saez is in desperate need and wants this refund, what we did we put together documents that are in your Board portal providing the history of this matter. Lori put together Mr. Saez's documentation relating to the underlying Chicago Fire Department investigations that related to his termination from the Fire Department but also laid out the facts of the felony conviction.

When he first came on our radar what was going on in the Circuit Court file and what we were able to find out is that all of the records were missing from the court files. We did a subpoena. We did all kinds of things but the court system at that time could not locate the records relating to Mr. Saez, other than a couple of documents which are in

1 the Board documents. 2 One, we know that this member did appear 3 before a criminal court judge. And I will disclose it was my cousin who is the judge, Charlie Burns, 4 11:51AM 5 but he appeared before Judge Burns and Judge Burns 6 did find him guilty of a Class 4 felony and Judge 7 Burns did enter sentence against him. Those facts tell this Board that this 8 9 member's legal proceeding is final as to this 10 conviction. He has been sentenced. And as Trustee 11:52AM Martin may know and has told you before in other 11 related matters, you need to get that sentencing to 12 make the record complete for purposes of 13 14 determining whether Section 6-221 applies. 11:52AM 15 So you have what documents we have. 16 Because the record seemed incomplete and because I 17 wanted to make sure Mr. Saez understood what he was 18 doing, I worked with the Board President, Steve Swanson and Lori Lund and we came up with an 19 11:52AM 20 affidavit that is also in your materials. 21 This affidavit was signed by Mr. Saez, it 22 was notarized and it was reviewed by his attorney 23 before it was submitted to the Fund for your

24

consideration today.

	1	This affidavit makes it very clear that
	2	Mr. Saez understands what is going on and that it
	3	is his intent to waive his right to a hearing on
	4	his felony conviction. It agrees that as a matter
11:52AM	5	of law, and as a condition precedent to you as the
	6	Fund being able to award him his refund, the felony
	7	conviction decision required by Section 6-221 must
	8	be considered. The affidavit withdraws his Earned
	9	Annuity application and it further clarifies that
11:53AM	10	this is his intent to ask you to find the felony to
	11	be related to his employment, to do that without a
	12	hearing and to then grant his request for a refund.
	13	I think you have all the documents you
	14	need to do that, if that is the Board's desire. If
11:53AM	15	there are any questions, I am happy to address
	16	them.
	17	CHAIRMAN FORTUNA: Any questions?
	18	MEMBER CONYEARS-ERVIN: Mary Pat,
	19	irregardless of him having a felony, you're saying
11:53AM	20	that he is entitled to his refund?
	21	MS. BURNS: Yes, ma'am. It is a matter
	22	of law.
	23	MEMBER CONYEARS-ERVIN: Okay. Thank you.
	24	MS. BURNS: I think you are well

	1	protected on this.
	2	CHAIRMAN FORTUNA: There is a motion and
	3	there is a second. So I am going to call all in
	4	favor?
11:54AM	5	(Chorus of ayes.)
	6	CHAIRMAN FORTUNA: Opposed?
	7	Hearing none, motion carries.
	8	MS. BURNS: Thank you, sir.
	9	MEMBER MARTIN: Nice job, Mary Pat. Thank
11:54AM	10	you, Mary Pat. Thank you, staff.
	11	Moving on to Item E, we have Death
	12	Benefits. I'd like to make a motion to approve the
	13	Death Benefits as provided by Fund staff.
	14	MEMBER MCPHILLIPS: Second.
11:54AM	15	CHAIRMAN FORTUNA: Motion by Trustee
	16	Martin. Seconded by Trustee McPhillips. All in
	17	favor?
	18	(Chorus of ayes.)
	19	CHAIRMAN FORTUNA: Opposed?
11:54AM	20	Hearing none, motion carries.
	21	MEMBER MARTIN: Mr. President, moving to
	22	Item F Partial Payments. I'd like to make a motion
	23	to approve the Partial Payments as provided by Fund
	24	staff.

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	1	MEMBER MCPHILLIPS: Second.
	2	CHAIRMAN FORTUNA: There is a motion by
	3	Trustee Martin. Seconded by Trustee McPhillips.
	4	All in favor?
11:54AM	5	(Chorus of ayes.)
	6	CHAIRMAN FORTUNA: Opposed?
	7	Hearing none, motion carries.
	8	MEMBER MARTIN: Mr. President, moving on
	9	to Item G Benefit Recalculations. I'd like to make
11:55AM	10	a motion to approve the Benefit Recalculations as
	11	provided by Fund staff.
	12	MEMBER MCPHILLIPS: Second. There aren't
	13	any, right?
	14	MS. LUND: Sorry. There are none.
11:55AM	15	MEMBER MARTIN: I will withdraw the
	16	motion. It is on the Agenda. I just moved past
	17	it.
	18	The Request for Permission. Do we have
	19	any this month, Lori? I don't see any.
11:55AM	20	MS. LUND: Yes, we have two guardianships
	21	but one is actually a termination. So this woman
	22	had a court ordered guardian. Her medical issues
	23	have since resolved and we have a court order
	24	terminating that guardianship and she is now able

	1	to handle her affairs. So one grant of
	2	Guardianship and one removal.
	3	MEMBER MARTIN: I make a motion to
	4	approve.
11:55AM	5	MEMBER MCPHILLIPS: Second.
	6	CHAIRMAN FORTUNA: Motion to approve by
	7	Trustee Martin. Seconded by Trustee McPhillips.
	8	All in favor?
	9	(Chorus of ayes.)
11:56AM	10	CHAIRMAN FORTUNA: Opposed?
	11	Hearing none, motion carries.
	12	MEMBER MARTIN: Moving to Item I
	13	Removals.
	14	Lori, for the record, could you state if
11:56AM	15	there are any?
	16	MS. LUND: There are Removals, yes.
	17	MEMBER MARTIN: Motion to approve the
	18	Removals as provided by Fund staff.
	19	MEMBER MCPHILLIPS: I will second that.
11:56AM	20	CHAIRMAN FORTUNA: Motion for Removals by
	21	Trustee Martin. Seconded by Trustee McPhillips.
	22	All in favor?
	23	(Chorus of ayes.)
	24	CHAIRMAN FORTUNA: Opposed?

	1	Hearing none, motion carries.
	2	MEMBER MARTIN: Moving to Item 3 Request
	3	for Approval of Payments Pursuant to Administrative
	4	and Court Order. Mr. President, I make a motion to
11:56AM	5	approve.
	6	MEMBER MCPHILLIPS: Second.
	7	CHAIRMAN FORTUNA: Motion to approve by
	8	Trustee Martin. Seconded by Trustee McPhillips.
	9	All in favor?
11:57AM	10	(Chorus of ayes.)
	11	CHAIRMAN FORTUNA: Opposed?
	12	Hearing none, motion carries.
	13	MEMBER MARTIN: Moving to Item 4,
	14	Hearings.
12:00PM	15	MS. BURNS: We're right on time. It is
	16	8:45.
	17	Before we start the hearings, can I ask
	18	Dr. Samo and Dr. Peters, who are on the phone, if
	19	they would raise their right hands.
12:00PM	20	(Dr. Samo and Dr. Peters
	21	were sworn to testify.)
	22	MEMBER MARTIN: Let the record reflect
	23	this is the Occupational Disease Disability hearing
	24	for Fire Engineer Paramedic Joseph Kalas, Engine

	1	63.
	2	For the record, Vince Pinelli is going to
	3	be conducting this hearing.
	4	Without anything further, Vince.
12:02PM	5	MR. PINELLI: Okay. Thank you, Mr.
	6	Secretary.
	7	Do we have Mr. Kalas on the line? Has he
	8	called in?
	9	MR. KALAS: I am here.
12:02PM	10	MR. PINELLI: Good morning, sir. Thank
	11	you.
	12	As the secretary indicated, let the
	13	record reflect this is a hearing on the application
	14	of Fire Engineer Paramedic Kalas for an
12:02PM	15	Occupational Disease Disability benefit.
	16	I advise the Trustees that he is applying
	17	for this benefit based upon a heart condition that
	18	he has. He has heart failure.
	19	He entered service in 1997 and therefore
12:02PM	20	has completed more than seven years of service with
	21	the Fire Department.
	22	I would also indicate that the medical
	23	records indicate that he developed this condition
	24	during the time that he was in service with the

	1	Fire Department. In other words, he did not have
	2	it before he came on to the department.
	3	With that introduction, at this time I
	4	would call the Board's Physician/Consultant Doctor
12:03PM	5	Samo to testify.
	6	(Witness previously sworn.)
	7	DANIEL SAMO, M.D.
	8	a witness herein, having been first duly sworn, was
	9	examined and testified as follows:
	10	EXAMINATION
	11	BY MR. PINELLI:
	12	Q Doctor Samo, please, state your name.
	13	A Daniel Samo.
	14	Q You're a physician; is that correct?
12:03PM	15	A Yes.
	16	Q Do you perform a function as a consultant
	17	to this fund?
	18	A Yes.
	19	Q In that capacity, do you review medical
12:03PM	20	records, examine applicants and report to the
	21	Board?
	22	A Yes.
	23	Q In this particular case, due to the
	24	circumstances, were you able to actually examine

	1	the applicant?
	2	A No.
	3	Q Did you go through and conduct a
	4	telephone interview of him?
12:03PM	5	A Yes.
	6	Q During that interview was the
	7	information, the history of his condition, that he
	8	related to you consistent with the medical records
	9	that you did indeed review?
12:04PM	10	A Yes.
	11	Q Doctor, did you file a written report
	12	with the Board that is marked as Board Exhibit
	13	Number 2?
	14	A Yes.
12:04PM	15	Q Doctor Samo, with respect to this
	16	applicant, did the medical records you examined
	17	indicate that he was experiencing symptoms
	18	associated with heart failure?
	19	A Yes.
12:04PM	20	Q Can you describe just briefly for us what
	21	those symptoms were?
	22	A Basically, symptoms were shortness of
	23	breath, weight gain, leg swelling, which was all
	24	due to cardiac failure from a hypertrophic

	1	cardiomyopathy, which his heart was enlarged and
	2	not working properly.
	3	Q Is that condition a heart disease?
	4	A Yes.
12:04PM	5	Q Since that original workup that he had in
	6	2019, which diagnosed him with heart disease, has
	7	he continued to experience symptoms of heart
	8	failure, including left ventricular dysfunction?
	9	A Yes. He's not symptomatic. He does get
12:05PM	10	short of breath with more significant exertion but
	11	other than that he feels well, but his studies show
	12	that he continues to have poor functioning of his
	13	heart.
	14	Q Doctor, from your review of the records,
12:05PM	15	did it indicate it's been recommended by his
	16	treating doctors that he undergo a procedure to
	17	have an implantable cardiac defibrillator?
	18	A Correct.
	19	Q Was he scheduled to have that at one time
12:05PM	20	but it was postponed?
	21	A He was scheduled to have it two days
	22	after I spoke with him but he delayed it due to
	23	concerns about going to the hospital with all of
	24	the coronavirus going on.

	1	Q Did he indicate to you that he is
	2	intending to reschedule that after the coronavirus
	3	subsides?
	4	A Yes.
12:06PM	5	Q Doctor, finally, based upon his
	6	condition, is it your opinion that he is at high
	7	risk for sudden incapacitation if exposed to the
	8	physical demands and stresses of a firefighter?
	9	A Yes, he is at-risk for sudden
12:06PM	10	incapacitation or sudden death even at rest.
	11	MR. PINELLI: Thank you, doctor. That is
	12	all the questions I have.
	13	CHAIRMAN FORTUNA: Trustees, any
	14	questions for the doctor?
12:06PM	15	MEMBER MARTIN: No questions.
	16	CHAIRMAN FORTUNA: Is there a motion?
	17	MEMBER MARTIN: Motion to grant.
	18	MEMBER CONYEARS-ERVIN: What disability
	19	are we speaking of?
12:06PM	20	MEMBER MARTIN: This is an Occupational
	21	Disability application.
	22	MEMBER CONYEARS-ERVIN: Thank you.
	23	MEMBER MARTIN: It is the 65 percent.
	24	MEMBER MCPHILLIPS: I will second that

1	motion to grant made by Tony.
2	CHAIRMAN FORTUNA: Motion to grant by
3	Trustee Martin. Seconded by Trustee McPhillips.
4	Trustee Martin.
5	MEMBER MARTIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee McPhillips.
12	MEMBER McPHILLIPS: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: And I am a yes.
16	MEMBER MARTIN: Mr. President, I'd like
17	to make a motion for re-exam consistent with the
18	Fund's policies.
19	MEMBER McPHILLIPS: Second.
20	CHAIRMAN FORTUNA: Motion for re-exam by
21	Trustee Martin. Seconded by Trustee McPhillips.
22	All in favor?
23	(Chorus of ayes.)
24	CHAIRMAN FORTUNA: Opposed?

12:07PM

	1	Hearing none, motion carries.
	2	MEMBER MARTIN: Mr. President, I'd like
	3	to make a motion to adopt the Findings of Fact as
	4	presented by Fund counsel.
12:08PM	5	MEMBER McPHILLIPS: Second.
	6	CHAIRMAN FORTUNA: Motion by Trustee
	7	Martin. Seconded by Trustee McPhillips. All in
	8	favor?
	9	(Chorus of ayes.)
12:08PM	10	CHAIRMAN FORTUNA: Opposed?
	11	Hearing none, motion carries.
	12	Mr. Kalas, based on the Findings of Fact
	13	made by Trustees, the Trustees have voted to grant
	14	the benefit you have requested.
12:08PM	15	You will notified by mail of the Findings
	16	of Fact and the Board's decision.
	17	Good luck to you. Thank you.
	18	MEMBER MARTIN: Mr. President, I'd like
	19	to move on to the Duty Disability applicant and
12:09PM	20	that would be for Paramedic Ericka Garduno,
	21	Ambulance 46.
	22	Is Ericka present? Is Ericka there?
	23	MS. BURNS: May I ask, Trustee Martin,
	24	was she given notice? Was Ms. Garduno given notice

	1	of today's meeting?
	2	MS. LUND: She was given notice and then
	3	I sent her an email of instructions how to call in
	4	and I also had a conversation with her regarding
12:10PM	5	the procedures on how to call in and what the
	6	procedures were going to be like in length so.
	7	MS. BURNS: So, Trustee Martin, I think
	8	the record should reflect that she received
	9	instructions and certainly we will contact her
12:10PM	10	about what occurs, but I think you are ready to
	11	proceed because you have a quorum.
	12	MEMBER MARTIN: Okay. Let the record
	13	reflect that this is the Duty Disability
	14	application for Paramedic Ericka Garduno.
12:10PM	15	For the record, Vince Pinelli, the Fund's
	16	counsel, is going to be proceeding with this
	17	hearing. Vince.
	18	MR. PINELLI: Thank you, Mr. Secretary.
	19	As you have indicated for the record,
12:10PM	20	this is a hearing on an application for a Duty
	21	Disability benefit being made by Paramedic Ericka
	22	Garduno.
	23	Her application, for the Trustees'
	24	benefit, is based on an incident that occurred on

1	February 26th of 2019 when she was on-duty and
2	transporting a patient in emergency mode to the
3	hospital.
4	Her ambulance was struck by another
5	vehicle going at a high rate of speed causing her
6	injury to her head, shoulder, pelvis and left hip.
7	She did lose consciousness as a result of the
8	collision.
9	She was transported by ambulance to Saint
10	Francis Hospital and we have the fire department
11	records that document this incident as I have just
12	described it.
13	At this time, Mr. Chairman, I move for
14	admission of Board Exhibits 1 through 14, without
15	objection.
16	CHAIRMAN FORTUNA: Admitted without
17	objection.
18	(Board Exhibits 1 through 14 were
19	admitted into evidence.)
20	MR. PINELLI: Thank you.
21	Having introduced the exhibits into the
22	record and given the factual background of this
23	matter, at this time I would call the Fund's
24	physician Doctor Peters to testify.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

	1	(Witness previously sworn.)
	2	MICHAEL I. PETERS, M.D.
	3	a witness herein, having been first duly sworn, was
	4	examined and testified as follows:
	5	EXAMINATION
	6	BY MR. PINELLI:
	7	Q Sir, please, state your name.
	8	A Michael I. Peters.
	9	Q You are a physician; is that correct?
12:13PM	10	A Yes.
	11	Q Are a copy of your qualifications as a
	12	physician attached to the Board Exhibits?
	13	A Yes.
	14	Q Do you perform a function as a consultant
12:13PM	15	to this fund in which you examine applicants,
	16	review medical records and report to the Board?
	17	A Yes, I do.
	18	Q Did you follow that procedure with
	19	respect to Ms. Garduno?
12:13PM	20	A Yes, I did.
	21	Q Did you actually have the opportunity to
	22	examine her?
	23	A Yes, I did.
	24	Q Did you file a written report with the

	1	Board that is marked as Board Exhibit Number 2?
	2	A Yes.
	3	Q Doctor, could you please briefly
	4	summarize for us what her injuries were and what
12:14PM	5	her condition was at the time you examined her?
	6	A Ms. Garduno was involved in a high speed
	7	motor vehicle crash on February 26, 2019. She was
	8	transporting a patient, lights and sirens, and she
	9	was struck by another vehicle with a T-bone
12:14PM	10	mechanism to her driver's side.
	11	That other vehicle was traveling at a
	12	high speed. She had a blunt head injury with loss
	13	of consciousness. She was vomiting multiple times
	14	as she was being transported by another ambulance.
12:14PM	15	She spent several days in the ICU at St.
	16	Francis. She had a left pneumothorax. She had a
	17	nondisplaced pelvic fracture. Subsequently she was
	18	diagnosed with a small left hip labral tear.
	19	She suffers now from persistent
12:14PM	20	postconcussive headaches, ringing in the ears, pain
	21	that interrupts her sleep, interrupts her daily
	22	activity. Makes it hard for her to do any type of
	23	exertion.
	24	Q Is she still under treatment by her

	1	doctor for the postconcussive syndrome symptoms?
	2	A Yes. A neurologist.
	3	Q Thank you. Doctor, based upon those
	4	symptoms and her current condition, do you believe
12:15PM	5	she would be able to perform her duties?
	6	A I don't think she could do her duties as
	7	a Paramedic.
	8	Q Based upon her current condition; is that
	9	correct?
12:17PM	10	A That's correct.
	11	MR. PINELLI: Thank you. That is all the
	12	questions I have of Doctor Peters.
	13	CHAIRMAN FORTUNA: Trustees, any
	14	questions for Doctor Peters?
12:17PM	15	MEMBER MCPHILLIPS: No questions for the
	16	doctor.
	17	CHAIRMAN FORTUNA: Hearing none, go
	18	ahead, Tony.
	19	MEMBER MARTIN: I'd like to make a motion
12:17PM	20	to grant.
	21	MEMBER MCPHILLIPS: Second.
	22	CHAIRMAN FORTUNA: Motion to grant by
	23	Trustee Martin. Seconded by Trustee McPhillips.
	24	Trustee Martin.

	1	MEMBER MARTIN: Yes.
	2	CHAIRMAN FORTUNA: Trustee Soni.
	3	MEMBER SONI: Yes.
	4	CHAIRMAN FORTUNA: Trustee
	5	Conyears-Ervin.
	6	MEMBER CONYEARS-ERVIN: Yes.
	7	CHAIRMAN FORTUNA: Trustee McPhillips.
	8	MEMBER McPHILLIPS: Yes.
	9	CHAIRMAN FORTUNA: Trustee Murphy.
	10	MEMBER MURPHY: Yes.
	11	CHAIRMAN FORTUNA: And I am a yes.
	12	MEMBER MARTIN: I'd like to make a motion
	13	for reexam consistent with the Fund's policies.
	14	MEMBER MCPHILLIPS: Second.
12:18PM	15	CHAIRMAN FORTUNA: Motion for reexam by
	16	Trustee Martin. Seconded by Trustee McPhillips.
	17	All in favor?
	18	(Chorus of ayes.)
	19	CHAIRMAN FORTUNA: Opposed?
12:18PM	20	Hearing none, motion carries.
	21	MEMBER MARTIN: I'd like to make a motion
	22	to adopt the Findings of Fact drafted and presented
	23	by Fund counsel.
	24	MEMBER MCPHILLIPS: Second.

	1	CHAIRMAN FORTUNA: Motion by Trustee
	2	Martin. Seconded by Trustee McPhillips. All in
	3	favor?
	4	(Chorus of ayes.)
12:18PM	5	CHAIRMAN FORTUNA: Opposed?
	6	Hearing none, motion carries.
	7	CHAIRMAN FORTUNA: Based on the Findings
	8	of Fact made by the Trustees, the Trustees have
	9	voted to grant this benefit.
12:19PM	10	MEMBER MARTIN: Moving on to the Ordinary
	11	Disability application for Firefighter James Mundo.
	12	He works at the Fire Department's Labor Division.
	13	MS. BURNS: As you recall, this applicant
	14	was before you several months ago on a Duty
12:19PM	15	Disability. At that time the Board made a
	16	determination that he had not met his burden of
	17	proof on the Duty Disability. He has now withdrawn
	18	that application and submitted an application for
	19	Ordinary Disability.
12:20PM	20	MEMBER MARTIN: Okay. That is duly
	21	noted, without anything further, is James Mundo
	22	present? Is he on this call?
	23	MEMBER CONYEARS-ERVIN: Can I ask a
	24	question?

	1	CHAIRMAN FORTUNA: Yes.
	2	MEMBER CONYEARS-ERVIN: To Mary Pat's
	3	point, I had a question on that. This participant
	4	came before the Board a few months ago. Did the
12:20PM	5	Board make a decision? Can we restate that for the
	6	record?
	7	MS. BURNS: Yes, ma'am. The decision was
	8	made to deny this gentleman a Duty Disability on
	9	the basis that he had not met his burden of proof.
12:20PM	10	MEMBER CONYEARS-ERVIN: So I thought that
	11	once we did that that so we can hear this case
	12	now and make another ruling? I just need a little
	13	clarity on that.
	14	MS. BURNS: Vince is better at this than
12:20PM	15	I am. But the Duty Disability is related to his
	16	allegation that his Post-Traumatic Stress Disorder
	17	was directly related to the performance of his
	18	duties.
	19	He is now saying he has withdrawn that
12:21PM	20	original applicant and he is not going to appeal
	21	that decision I believe, but he is now saying that
	22	his disability, his depression or PTSD, is caused
	23	by matters outside of his work-related employment
	24	so it is a different type of benefit.

	1	MEMBER CONYEARS-ERVIN: Okay. So this is
	2	like a separate claim?
	3	MS. BURNS: Yes.
	4	Vince, has his time for filing an appeal
12:21PM	5	run out on the Duty Disability claim?
	6	MR. PINELLI: Yes, it has. It expired
	7	before we allowed him to apply for the Ordinary
	8	disability benefit.
	9	MS. BURNS: To that point, that means
12:21PM	10	that we're not going to be in a trick bag where we
	11	have him appealing telling a judge that his Duty
	12	Disability was denied and his injuries really did
	13	relate to his employment and then turning around
	14	and having the same injury be the basis of an
12:21PM	15	Ordinary which is not related to employment.
	16	So because he didn't appeal, you can hear
	17	this new application and make this decision because
	18	he is telling you, acknowledging under oath, that
	19	his condition which allegedly keeps him from
12:22PM	20	working was caused by something unrelated to his
	21	employment.
	22	MEMBER CONYEARS-ERVIN: For clarity for
	23	the record, we are hearing this case today because
	24	this is a separate case. We are not listening to

	1	the facts from the first case again. We are
	2	judging something separate. I mean, not judging
	3	something separate, we are not listening to the
	4	original cause.
12:23PM	5	MS. BURNS: That's right, Madam
	6	Treasurer. You are spot on. This is a separate
	7	claim with separate facts, which Vince will present
	8	to you.
	9	MEMBER MARTIN: For clarification, Mary
12:23PM	10	Pat, it looks like he was born in 1967 so he is
	11	going to be 55. How many years of service does he
	12	have?
	13	MR. PINELLI: He joined in '06 I believe.
	14	MEMBER MARTIN: So he won't have 20 years
12:23PM	15	until 2026. He may never be eligible for a pension
	16	based on this. He would get some type of an
	17	annuity.
	18	MS. BURNS: You never know.
	19	MEMBER MARTIN: Okay. I was just looking
12:23PM	20	at his start date. Okay. Are you ready to move
	21	forward?
	22	MR. PINELLI: Yes.
	23	MEMBER MARTIN: Mr. President, let the
	24	record reflect this is the Ordinary Disability

	1	application for James Mundo.
	2	Without anything further, Vince, take it
	3	away.
	4	MR. PINELLI: Thank you, Mr. Secretary.
12:24PM	5	Just for the record, based on the
	6	discussion we just had regarding Mr. Mundo's
	7	earlier application for Duty Disability which was
	8	denied, the record will show and the Board's
	9	written Findings of Fact which were adopted at that
12:24PM	10	time indicate that the denial was based upon the
	11	fact that he did not meet his burden of proof to
	12	show that his condition was the result of an act or
	13	acts of duty. So that was the basis that you
	14	denied the application for Duty Disability.
12:24PM	15	Now he has applied for Ordinary Benefits,
	16	based upon his medical condition, and that does not
	17	require him obviously, the benefit is based upon
	18	the fact that the condition was caused by something
	19	other than an act or acts of duty.
12:25PM	20	That being said, Mr. Chairman, I move for
	21	admission of Board Exhibits 1 through 10 at this
	22	time without objection.
	23	CHAIRMAN FORTUNA: Admitted without
	24	objection. Thank you.

	1	(Board Exhibits 1 through 10 were
	2	admitted into evidence.)
	3	MR. PINELLI: Thank you.
	4	At this time I would call the Fund's
12:25PM	5	physician consultant Doctor Peters to testify.
	6	(Witness previously sworn.)
	7	MICHAEL I. PETERS, M.D.
	8	a witness herein, having been first duly sworn, was
	9	examined and testified as follows:
	10	EXAMINATION
	11	BY MR. PINELLI;
	12	Q Doctor Peters, you have been sworn to
	13	testify; is that correct?
	14	A Yes, that is correct.
12:25PM	15	Q Would you just state your name for the
	16	record?
	17	A Michael I. Peters.
	18	Q You are a physician; is that correct?
	19	A Yes.
12:25PM	20	Q A copy of your qualifications as a
	21	physician are attached to the Board Exhibits?
	22	A Yes, they are.
	23	Q In your capacity as consultant to this
	24	fund, do you review medical records, interview

	1	applicants and report to the Board?
	2	A Yes, I do.
	3	Q With respect to this particular
	4	applicant, you did examine him back prior to his
12:26PM	5	application for the Duty Disability benefits; is
	6	that correct?
	7	A Yes, I did.
	8	Q Subsequent to that, upon his application
	9	for Ordinary benefits, did you in fact review
12:26PM	10	updated or current medical records with respect to
	11	his condition?
	12	A Yes, I did.
	13	Q Did you file a written report with the
	14	Board that is marked as Board Exhibit Number 2?
12:26PM	15	A Yes, I did.
	16	Q Doctor, with respect to the current
	17	medical records that you examined, can you briefly
	18	describe for us what those records strike that.
	19	First of all, who were those records from?
12:26PM	20	A They are from Mr. Mundo's psychiatrist
	21	Doctor Reedy and his therapist Mr. Gayner.
	22	Q What did those records indicate with
	23	respect to his current condition?
	24	A Mr. Mundo has ongoing treatment with his

	1	psychiatrist and therapist for depression, anxiety
	2	and panic episode.
	3	Q Is he currently being treated for those
	4	conditions by those doctors?
12:27PM	5	A Yes, he is.
	6	Q Is he also taking medications prescribed
	7	for those conditions?
	8	A Yes, he is.
	9	Q Doctor, in your opinion, would the
12:27PM	10	applicant's symptoms that he has described and that
	11	his doctors have indicated he is experiencing
	12	impair his abilities to perform with the fire
	13	department as a fire firefighter?
	14	A Yes, they would.
12:27PM	15	MR. PINELLI: Thank you, doctor, that is
	16	all the questions I have of you at this time.
	17	CHAIRMAN FORTUNA: Trustees, any
	18	questions for Doctor Peters?
	19	MEMBER MARTIN: Motion to grant.
12:28PM	20	MEMBER MCPHILLIPS: Second.
	21	CHAIRMAN FORTUNA: Motion by Trustee
	22	Martin. Seconded by Trustee McPhillips.
	23	Trustee Martin.
	24	MEMBER MARTIN: Yes.
	J	

	1	CHAIRMAN FORTUNA: Trustee Soni.
	2	MEMBER SONI: Yes.
	3	CHAIRMAN FORTUNA: Trustee
	4	Conyears-Ervin.
	5	MEMBER CONYEARS-ERVIN: Yes.
	6	CHAIRMAN FORTUNA: Trustee McPhillips.
	7	MEMBER McPHILLIPS: Yes.
	8	CHAIRMAN FORTUNA: Trustee Murphy.
	9	MEMBER MURPHY: Yes.
12:28PM	10	CHAIRMAN FORTUNA: And I am a yes.
	11	MEMBER MARTIN: Motion for reexam
	12	consistent with the Fund's policy.
	13	MEMBER MCPHILLIPS: Second.
	14	CHAIRMAN FORTUNA: There's a motion for
12:28PM	15	reexam by Trustee Martin. Seconded by Trustee
	16	McPhillips. All in favor?
	17	(Chorus of ayes.)
	18	CHAIRMAN FORTUNA: Opposed?
	19	hearing none motion carries.
12:28PM	20	MEMBER MARTIN: Mr. President, at this
	21	time, I'd like to make a motion to adopt the
	22	Findings of Fact as presented by Fund counsel.
	23	MEMBER McPHILLIPS: Second.
	24	CHAIRMAN FORTUNA: Motion by Trustee

	1	Martin. Seconded by Trustee McPhillips. All in
	2	favor?
	3	(Chorus of ayes.)
	4	
	_	CHAIRMAN FORTUNA: Opposed?
12:29PM	5	Hearing none, motion carries.
	6	Based on the Findings of Fact made by the
	7	trustees, the trustees have granted the benefit
	8	that this Member has requested. Thank you.
	9	MS. BURNS: For the record, Lori, would
12:29PM	10	you please call both Mr. Mundo and Ms. Garduno
	11	sometime today to advise them of the outcome of
	12	today's hearings?
	13	MS. LUND: Yes, I will call them after we
	14	have completed here.
12:29PM	15	MS. BURNS: Thank you, Lori.
	16	MEMBER MARTIN: I think I went out of
	17	order here. The next item here we had a Request
	18	for Approval of Payments Pursuant to Administrative
	19	and Court Orders.
12:30PM	20	MS. LUND: We did that.
	21	MEMBER MARTIN: Approval of Board
	22	Physician's Review of Disability Recipients, that
	23	is still outstanding?
	24	MS. LUND: Yes.

	1	MEMBER MARTIN: I would like to make a
	2	motion to approve the Board Physician's Review of
	3	Disability Recipients.
	4	MEMBER MCPHILLIPS: Second.
12:30PM	5	CHAIRMAN FORTUNA: Motion by Trustee
	6	Martin. Second by Trustee McPhillips. All in
	7	favor?
	8	(Chorus of ayes.)
	9	CHAIRMAN FORTUNA: Opposed?
12:30PM	10	Hearing none, motion carries.
	11	MEMBER MARTIN: Before we go into
	12	Investment, I was going to do these Expenditures.
	13	Administrative Expenses for Board Review and
	14	Approval. I make a motion to approve.
12:31PM	15	MEMBER MCPHILLIPS: Second.
	16	CHAIRMAN FORTUNA: There's a motion to
	17	approve by Trustee Martin. Seconded by Trustee
	18	McPhillips. All in favor?
	19	(Chorus of ayes.)
12:31PM	20	CHAIRMAN FORTUNA: Opposed?
	21	Hearing none, motion carries.
	22	DOCTOR SAMO: Mr. President, just a
	23	question, if you don't need us anymore, is it okay
	24	if we sign out?

	1	CHAIRMAN FORTUNA: I would say yes. Mary
	2	Pat?
	3	MS. BURNS: Yes, sir. I do not think we
	4	need the doctors at this point.
12:31PM	5	(Dr. Samo and Dr. Peters left
	6	the meeting.)
	7	MEMBER MARTIN: I'd like to move to Item
	8	4, which is the investment consideration and
	9	possible authority to rebalance the Fund portfolio.
12:32PM	10	I am just going to pass this on to Lorna
	11	and Tim. Lorna.
	12	MS. SCOTT: We're going to stick with the
	13	order of the Agenda that is in Board pack.
	14	For the investment report, we're starting
12:32PM	15	with Approval of the Minutes.
	16	Marc was going to share his screen with
	17	us. Right, Marc?
	18	MR. TORRES: Yes.
	19	MS. SCOTT: The minutes don't necessarily
12:32PM	20	have to come up. Looking at the February 14th
	21	Investment Committee Meeting Minutes, both the open
	22	session, the executive session and then the
	23	February 19th Investment Committee Meeting Minutes,
	24	we need a motion to approve them.

	1	MEMBER MARTIN: I make the motion to
	2	approve those minutes.
	3	MS. BURNS: And to keep the closed
	4	session minutes closed, please.
12:32PM	5	MEMBER MARTIN: That motion is amended.
	6	MEMBER MCPHILLIPS: Is that a motion to
	7	approve the minutes for all three meetings?
	8	MEMBER MARTIN: Yes.
	9	MEMBER MCPHILLIPS: I will second that.
12:32PM	10	CHAIRMAN FORTUNA: Motion by Trustee
	11	Martin. Seconded by Trustee McPhillips. All in
	12	favor?
	13	(Chorus of ayes.)
	14	CHAIRMAN FORTUNA: Opposed?
12:33PM	15	Hearing none, motion carries.
	16	Go ahead, Tony.
	17	MEMBER MARTIN: We have the Investment
	18	Report from March, 2020.
	19	MS. SCOTT: The next item is the
12:33PM	20	Investment Report. Again, these materials Marc is
	21	sharing the screen for those of us who joined via
	22	video. Otherwise, these materials are all in Board
	23	packets. I would encourage you to follow along.
	24	Slide one is just administrative items

	1	that Brady and I wanted to cover with you.
	2	Brady, you are up first.
	3	MR. O'CONNELL: So Callan has been
	4	working with your investment managers and we wanted
12:33PM	5	to give you a quick update just to let you know
	6	that we have been monitoring their abilities to
	7	operate remotely.
	8	So we surveyed the investment manager
	9	community broadly and are reporting to the Board
12:34PM	10	that the vast majority of managers in general and
	11	all of yours have successfully adapted to the
	12	current environment and are continuing to manage
	13	portfolios remotely.
	14	So one of our responsibilities that we
12:36PM	15	execute on the Board's behalf is to oversee your
	16	investment managers and we continue to do that.
	17	So the managers are continuing to
	18	function even in the current environment.
	19	Having said that, and you will see this a
12:37PM	20	little bit later, some of them have had difficult
	21	quarters. We will get into that in further detail
	22	when we have the full report for you at the next
	23	meeting.
	24	Any questions on our efforts to oversee

	1	your investment managers?
	2	MEMBER MARTIN: Not now, not yet.
	3	MS. SCOTT: Do you want to go over the
	4	Pacing Review Model that Callan did for us?
12:37PM	5	MR. O'CONNELL: Sure. You may recall
	6	that when we evaluated private equity managers we
	7	were targeting deployment of about 40 million
	8	dollars. And that was based on a study that we
	9	call a Pacing Model where we estimate the current
12:37PM	10	fund's value, how we expect it to grow and
	11	therefore how much you should deploy into private
	12	equity over the next three years.
	13	The 40 million dollar deployment was
	14	arrived at with a Pacing Study that was done late
12:38PM	15	last year. In light of the equity market drop, we
	16	updated that Pacing Model to see if that 40 million
	17	dollar number remained appropriate.
	18	We also tested a number of different
	19	scenarios, based on Lorna's input, about whether
12:38PM	20	the market continued to decline and whether the
	21	fund's value continued to drop. With the intention
	22	being seeing whether or not we were in a position
	23	where we were committing too much into private
	24	equity.

	1	Having done this analysis, it is our
	2	recommendation that you maintain the current
	3	commitment amount of 40 million dollars that you
	4	previously approved so we do not recommend any
12:39PM	5	reduction at this point.
	6	We do think that commitment amount will
	7	get you to the 4 percent target to private equity
	8	slightly sooner than we originally anticipated, but
	9	it will still be deployed over three to five years
12:40PM	10	in order to maintain diversification.
	11	Furthermore, we do think the drop in the
	12	equity market has created better valuations so
	13	private equity managers will get the opportunity to
	14	buy investments, corporations, at a much cheaper
12:40PM	15	discount than they would have three months ago.
	16	So that is a quick update on the private
	17	equity commitment.
	18	MEMBER CONYEARS-ERVIN: Where's the 40
	19	million now?
12:40PM	20	MS. SCOTT: Right now it is invested in
	21	other asset classes. That 40 million will be drawn
	22	down over time. It is not like we have it sitting
	23	aside waiting to be invested. It is actually
	24	invested in other asset classes. And as there are

	1	capital calls that are called is when we will fund
	2	it.
	3	MEMBER CONYEARS-ERVIN: I think you
	4	touched on this, Brady, but I just need some more
12:41PM	5	clarification on this. How is the market doing
	6	with the private equity now in this downturn?
	7	MR. O'CONNELL: That is a great question.
	8	The valuations that private equity managers assign
	9	to their portfolio holdings tends to lag the public
12:41PM	10	markets, but we have no reason to believe that they
	11	should not have experienced a loss in value.
	12	So it usually takes a quarter or two for
	13	the decline in the public equity markets to roll
	14	into the private market valuations.
12:41PM	15	It is too soon to see, you know,
	16	specifically how they performed in the first
	17	quarter, but we do expect the losses that we have
	18	seen in the public markets to eventually filter in
	19	to the private markets.
12:42PM	20	MEMBER CONYEARS-ERVIN: That is what
	21	concerns me, right now there is so much
	22	uncertainty, unless I am not understanding exactly
	23	what you are saying.
	24	MR. O'CONNELL: Let me just add in some

	1	additional color. So Lorna just mentioned that
	2	that 40 million dollars will be deployed over the
	3	course of the next three years.
	4	So there is three managers that were
12:42PM	5	selected, Adams Street, JP Morgan and an additional
	6	commitment with the secondary manager Pomona.
	7	They will draw down from that commitment
	8	of 40 million dollars so it is not all invested at
	9	once. We just basically pledge to give these three
12:42PM	10	managers that money over the course of the next
	11	three years.
	12	They seek opportunities and when they
	13	find that they will ask us to invest that. So
	14	we're not investing in a portfolio that exists now
12:43PM	15	but deploying it over the course of the next three
	16	years.
	17	I would expect this money to avoid
	18	experiencing the losses that we will see in the
	19	next quarter or two but be able to be deployed once
12:43PM	20	those losses have been reflected in the market. So
	21	I believe we'll be able to buy at the low and kind
	22	of not buy into the markdowns that we see coming.
	23	MEMBER CONYEARS-ERVIN: Okay. Thanks for
	24	the clarification.

	1	MEMBER MARTIN: Just a real quick
	2	question. With respect to the secondaries, doesn't
	3	that even provide better opportunity with respect
	4	to our allocation to the secondary private equity,
12:43PM	5	you know, given the market conditions?
	6	MR. O'CONNELL: Yeah, I think that is a
	7	good point. The secondary market tends to be
	8	attractive when investors are forced to sell their
	9	illiquid private equity holdings.
12:44PM	10	So in the global financial crisis 12
	11	years ago, we saw some endowments that were heavily
	12	invested in illiquid assets and were forced to sell
	13	those. That is a good opportunity as a secondary
	14	manager to buy stakes in those.
12:44PM	15	Basically, if you can be a buyer whenever
	16	everybody is selling, you can get a good deal, if
	17	you have a long term prospective so I think that is
	18	a great point, Trustee Martin.
	19	MS. SCOTT: Marc, can you just slide back
12:44PM	20	to slide Number 1?
	21	Just an update on where we are as far as
	22	the contract negotiations. Right now negotiations
	23	over those letters are still under way. Best case
	24	scenario is both firms will have closes coming up

	1	in April and we could be ready for that.
	2	Otherwise, you know, it may be June. That is kind
	3	of where we are, contracts are under way.
	4	The next item. The international small
12:45PM	5	cap RFP. We do have a search in process. The
	6	finalist presentations were scheduled for March.
	7	So now in order to keep this search alive, we may
	8	want to consider having the finalists present at a
	9	virtual meeting, like this one is now. Perhaps
12:45PM	10	targeting a day or two before the May board
	11	meeting.
	12	I just wanted to kind of put that thought
	13	out there. I am open to feedback on it.
	14	MEMBER MARTIN: I think it is a good idea
12:45PM	15	to keep moving forward with that.
	16	MEMBER MCPHILLIPS: I think it is a great
	17	idea.
	18	MS. SCOTT: We will shoot for trying to
	19	do the Investment Committee Meeting with finalist
12:45PM	20	presentations in May. And Tim and I were talking
	21	about that as possibly May 18th a couple of days
	22	before the board meeting.
	23	Finally, Brady, did you want to touch on
	24	rebalancing considerations?

	1	MR. O'CONNELL: Yes. Thank you, Lorna.
	2	One of the things that we will speak to
	3	in a little more detail when Lorna goes through the
	4	cash needs template is the concept of rebalancing.
12:46PM	5	So in the Investment Policy Statement,
	6	that guides the fund's investment activities, we
	7	have target asset allocation. Around that target
	8	is a range.
	9	As you can imagine, with the drop in
12:46PM	10	equity markets and the rally in fixed income in the
	11	first quarter, your investment portfolio has moved
	12	away from the target asset allocation.
	13	As we will see, there is currently assets
	14	on hand in cash to pay benefits for the next
12:46PM	15	several months.
	16	What we have seen in this financial
	17	crisis is significant illiquidity in the fixed
	18	income market.
	19	So clients in large that were seeking to
12:46PM	20	sell even very liquid treasury holdings were facing
	21	significant costs to sell fixed income and either
	22	pay benefits or rebalance into equities.
	23	The Federal Reserve and other government
	24	entities have intervened to assist in bringing

	1	liquidity back to the market, which is a good
	2	thing, but we were talking to our clients about
	3	rebalancing so selling what has done well to buy
	4	into the asset classes that have not done well.
12:47PM	5	That can be challenging in times of
	6	crisis, like we are in. It can seem like the exact
	7	opposite thing to do, but it is part of the
	8	Investment Policy. And one of the reasons we put
	9	it in policy is because it can be difficult to do
12:47PM	10	and we want to write it down and stick to that.
	11	What we will be proposing later in the
	12	meeting is very modest rebalancing allocating some
	13	additional assets to equities and managers that
	14	have either done well in a down market or are in
12:48PM	15	styles that have been out of favor.
	16	As we will see in a little bit, value has
	17	continued to underperform and we think there is
	18	some compelling opportunities there for rebound.
	19	So rebalancing is something that we are
12:48PM	20	going to ask the Board to consider and from
	21	Callan's prospective, you know, we factor in the
	22	Fund's cash needs, the transaction costs that are
	23	involved in the market and those have informed the
	24	recommendations that you will hear in a few

	1	moments.
	2	MS. SCOTT: Moving on to performance, so
	3	the next slide. This chart is designed to give you
	4	an overview of the financial market in March.
12:48PM	5	And the chart shows the one month returns
	6	for a variety of indices as well as the fund's one
	7	month return which is in red.
	8	The Fund was down 12.4 percent for the
	9	month. In March, it was a difficult month. COVID,
12:49PM	10	social distancing, all that created a lot of
	11	uncertainty.
	12	Key takeaways here is US small cap, which
	13	is represented by the Russell 2000, significantly
	14	underperformed the other areas of the US markets.
12:49PM	15	So the DOW was down 21.7 percent versus
	16	the broad market which was down 13.8 percent.
	17	Another takeaway is value. Down 17.6
	18	versus growth which is down 10.4. So the Fund
	19	tilts toward small cap and value. It really hurt
12:49PM	20	us this month versus the benchmark.
	21	The next slide shows the year-to-date
	22	performance. As of 3-31-2020, year-to-date, the
	23	fund is down 17.7 percent. It looks like all areas
	24	of the market are down, except for the high quality

	1	fixed income.
	2	Again, the key themes, the small cap way
	3	underperforming large cap and value underperforming
	4	growth.
12:50PM	5	MEMBER CONYEARS-ERVIN: Where is the
	6	category for the fixed income? Is that the 3.1?
	7	MS. SCOTT: Yes, that one little area did
	8	well.
	9	MEMBER CONYEARS-ERVIN: Okay.
12:50PM	10	MS. SCOTT: These slides compare the Fund
	11	to various segments of the market. The next slide
	12	is the Fund performance versus its benchmark.
	13	For the month, like I said, the Fund was
	14	down 12.4. Underperforming the policy benchmark by
12:50PM	15	2.5 percent. Year-to-date the Fund is down 17.7
	16	percent underperforming the policy benchmark by
	17	3 percent.
	18	These returns really have impacted some
	19	of the long-term numbers, but over the ten-year
12:50PM	20	period we are ahead of the benchmark.
	21	MEMBER CONYEARS-ERVIN: The policy target
	22	where are you getting that number? What is it
	23	based upon?
	24	MS. SCOTT: That is based upon the in

	1	the Investment Policy Statement, it is the index
	2	returns for various asset classes. US equity is
	3	Russell 3. It is a blended benchmark then.
	4	MEMBER CONYEARS-ERVIN: But I guess on
12:51PM	5	the previous slides that you showed us with the
	6	indexes, it looked as if we are all in the
	7	negative. But it looks like on the previous slides
	8	that we were performing a little bit better and now
	9	on this slide for the one month and three months
12:51PM	10	and the year-to-date it looks like we are
	11	performing worse, that is why I was wondering where
	12	you got the policy.
	13	MS. SCOTT: So, for instance, on the
	14	previous slide, and I showed you the Russell 3
12:51PM	15	which is the broad market and I showed you the
	16	Russell 2 which was small cap which did much worse.
	17	And then I showed you like international equity and
	18	fixed income.
	19	Our policy target is the Russell 3. If
12:52PM	20	you compare our return versus, the Russell 3, we
	21	did worse. If you compare our return for the
	22	Russell 2, we did better.
	23	Then if we go to the previous slide
	24	MEMBER CONYEARS-ERVIN: Is there a

	1	Russell 3 on the previous
	2	MS. SCOTT: I'm sorry?
	3	MEMBER CONYEARS-ERVIN: Was there a
	4	Russell 3 on the previous slide?
12:52PM	5	MS. SCOTT: Yes.
	6	MEMBER CONYEARS-ERVIN: Marc, can you go
	7	back for a second?
	8	MS. SCOTT: There was. The Russell 3 is
	9	the first one and that is our benchmark, that is
12:52PM	10	our benchmark for the US equity.
	11	My point here is to say when you look at
	12	the first four blue indices that is all segments of
	13	the US market. So the broad market was down 20.
	14	The small cap was down 30. We have got managers
12:52PM	15	invested in small cap so that is a big difference
	16	between the benchmark right there.
	17	MEMBER CONYEARS-ERVIN: I need more
	18	clarification on this. Looking at this slide, your
	19	policy target is looking at Russell 3000, 1000,
12:53PM	20	2000 and the growth?
	21	MS. SCOTT: No. Our policy target is the
	22	Russell 3. It is the MFCI Active World IMI net,
	23	which is in the middle of the page. It is the
	24	Barclay's US, which is the positive number. It is

	1	the commodity index, which is the minus 23.3. It
	2	is the FTSE Index, which is minus 28.5. And there
	3	are also other components that aren't on this
	4	chart. The real estate, the private real estate.
12:53PM	5	There is the Bloomberg US TIPS index.
	6	There are other components of the policy
	7	index that aren't on this chart. This is more just
	8	a general point on this one is to show we are
	9	all areas of the market are broadly down.
12:53PM	10	We will actually look at performance
	11	versus the policy target when we get to attribution
	12	but I can tell you exactly why we are
	13	underperforming the benchmark.
	14	MEMBER MARTIN: Isn't it really difficult
12:54PM	15	right now, Lorna, given our policy targets and
	16	given the volatility of the market I mean, it is
	17	insanity. I mean, if you look at March 31st, the
	18	DOW was at 22,5 yesterday it was almost at
	19	24,000. Today it is down another 600. One day
12:54PM	20	giving these volatile swings doesn't really provide
	21	the best picture. Is that an accurate statement?
	22	MS. SCOTT: Right. This is as of March
	23	31st. Later in the presentation I show you as of
	24	April 10th and there has already been a change.

	1	Your statements on volatility is correct. It is up
	2	and down.
	3	That is why the next slide it may be
	4	easier to think of performance in calendar year and
01:14PM	5	not to think of it as an annualized number.
	6	This slide shows you where we were at
	7	each calendar year. It is a reminder in 2019 we
	8	were up 21 percent. We are actually at this point
	9	in time not as far down as we were in 2008.
01:14PM	10	We do have some good years and we have
	11	had some not so good years. Our point is to stay
	12	invested over the long-term.
	13	The next slide we are going back to
	14	March. So the Fund is down 12.4 percent and this
01:14PM	15	slide explains where that performance is coming
	16	from.
	17	As you can see, our performance is driven
	18	by your equity investments, with our valued
	19	managers being the most negative. You can see that
01:15PM	20	in Brandes under the international equities.
	21	Boston Mellen is a value manager that has a higher
	22	negative number. It kind of explains where March
	23	performance came from.
	24	The next slide shows from a year-to-date

	1	prospective. Again, the performance is being
	2	driven by our equity investments.
	3	On the positive side, you can see that
	4	the Earnest high quality fixed income has which
01:15PM	5	is off to the right, had some positive
	6	contribution.
	7	MEMBER CONYEARS-ERVIN: So with that
	8	being said, maybe I will defer my question if it is
	9	going to come up, you can defer it later in the
01:15PM	10	presentation. But I am wondering, considering the
	11	uncertainty, and we don't know how long this is
	12	going to go, with the equity market being as it is
	13	do we have a plan of action?
	14	Again, you can wait until later, if it is
01:16PM	15	in the presentation. I just wanted to pose the
	16	question.
	17	MS. SCOTT: Yes, it is coming.
	18	MEMBER CONYEARS-ERVIN: Alright.
	19	MS. SCOTT: The next slide we can talk
01:16PM	20	a little bit more about performance versus the
	21	benchmark.
	22	As mentioned, we are underperforming the
	23	benchmark for the month and for the quarter.
	24	This slide shows almost all of that is

	1	due to manager selection and execution for style
	2	selection. Like I said, being invested with small
	3	cap managers instead of being invested in the
	4	Russell 3.
01:16PM	5	There is only a real small amount which
	6	is attributed to having different weights being off
	7	target.
	8	Let's talk a little bit further about the
	9	manager selection and style selection. Looking
01:16PM	10	closer at these numbers, which is the next slide,
	11	this is a slide you are more used to seeing on a
	12	quarterly basis.
	13	So looking at the last three columns on
	14	the right. So from an allocation prospective, and
01:17PM	15	that is again being different from the target,
	16	holding cash in this downward trending market was
	17	positive and that added 34 basis points.
	18	It is mainly the selection piece next to
	19	the last column where we have lagged. Basically it
01:17PM	20	looks like we are underperforming every single area
	21	of the market, except for public real estate and
	22	that is where the principle account principle
	23	real estate investors is outperforming their
	24	benchmark.

	1	MEMBER MCPHILLIPS: I have a question on
	2	that slide. Looking at fixed income, our fund
	3	return was a negative 294 basis points. Am I
	4	reading that correctly? The policy return was a
01:18PM	5	positive 315 basis points?
	6	MS. SCOTT: That's correct. So the
	7	policy returns is that Barclay's US Agg. The very
	8	high quality returns. But don't forget we have
	9	investments with Western and Loomis and both of
01:18PM	10	those managers go in other areas of the market.
	11	Like emerging market, like high yield.
	12	Some of those other more risky areas of
	13	the fixed income market did underperform, that is
	14	what you are picking up there.
01:18PM	15	Where we have Earnest, who is the third
	16	fixed income manager, they are invested in the high
	17	quality, fixed more stable fixed income manager.
	18	That's where they perform better in downward
	19	markets.
01:18PM	20	MEMBER MCPHILLIPS: Right. Yeah, that's
	21	concerning. Usually when you have a crisis like
	22	this, you always kind of count on your fixed income
	23	to kind of be a buffer.
	24	We have always had this concern, probably

1	ever since I got on the board, that some of our
2	fixed income money managers were extending out in
3	the risk profiles that were a little bit beyond
4	fixed income, but that is a discussion for another
5	time. I just wanted to make sure I was reading
6	that chart correctly.
7	MS. SCOTT: Yes.
8	The next chart shows more of the returns
9	by asset class.
10	MEMBER CONYEARS-ERVIN: One second, if we
11	can go back. What did you say which area performed
12	well in the down market? I missed that point.
13	MEMBER MCPHILLIPS: Fixed income.
14	MEMBER CONYEARS-ERVIN: I thought she
15	said something else. Okay, go ahead.
16	MS. SCOTT: I said hold in cash. Hold in
17	cash in a market where everything is being
18	negative, not being invested, adds to performance
19	by not losing money, that was the point on asset
20	allocation.
21	We don't have any money targeted to hold
22	in cash. Hold in cash was a positive. That's how
23	that shows up in an attribution return versus the
24	policy target.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

	1	MEMBER CONYEARS-ERVIN: Okay.
	2	MS. SCOTT: The next chart, the next
	3	table, shows the returns by asset class.
	4	This is where you can see my Internet
01:20PM	5	connection is not moving as fast as yours.
	6	So this is where you can see that Russell
	7	3, for instance, the US policy benchmark, which was
	8	down the 20.9 percent for year-to-date or three
	9	months.
01:20PM	10	You can look to see all the other areas
	11	in the market where we are invested and pick out
	12	the ones where we did better or worse.
	13	Large cap growth we were down 15.2
	14	percent, that was better than the Russell 3. But
01:20PM	15	being invested in large cap value, 27.6 versus the
	16	US equity, that would have been a distraction. It
	17	is easy to go through and pick them out.
	18	What is interesting is the small cap
	19	value, where the index is down 34.6 percent, our
01:21PM	20	managers were actually down 30 percent. They
	21	didn't do as poorly as the index. They still did
	22	poorly versus the policy benchmark which was down
	23	20.9 and that's having those style tilts within the
	24	portfolio.

	1	I will leave these numbers for your
	2	review, that's kind of how a way to use this chart.
	3	Looking at the next slide, that brings us
	4	to our asset allocation at the end of the month.
01:21PM	5	This is how we looked at the end of March
	6	versus our target allocation. So we start at the
	7	year on target. Slightly overweight in US
	8	equities, international equities. By the end of
	9	March, we're now at the lower end of our range.
01:22PM	10	This is excluding the cash that we are sitting on
	11	that will be used for benefit payments for May and
	12	June.
	13	We will look closer at the rebalancing in
	14	just a minute.
01:22PM	15	One last chart on performance. I just
	16	not that I want you to look at short-term
	17	performance, but back to what Brady said, the
	18	market is up and down.
	19	Even month to date performance, as of
01:22PM	20	April 10th, our fund is up 4.3 percent, in positive
	21	territory for the month. We're still down 14.2
	22	percent year-to-date. It's going to be up and down
	23	for a while.
	24	MEMBER CONYEARS-ERVIN: Even right now

	1	performance is in the positive month to-date but
	2	still under the
	3	MS. SCOTT: There is still a ways to go
	4	to recover what's been lost, yes.
01:23PM	5	MEMBER MARTIN: Historically I have
	6	been on the Board since almost 2002. I have been
	7	through this twice before with the dot com bubble
	8	and the housing crisis and we have seen this.
	9	Brady can speak to it very well.
01:23PM	10	Given our volatility during those periods
	11	of times, I mean in certain market environments
	12	this Fund has underperformed the market. In
	13	certain periods of times, we have rocketed way
	14	above the market.
01:23PM	15	So I don't think given this period of
	16	time just based on my experience that this is
	17	anything outside of the norm for what we have gone
	18	through during volatile periods of times.
	19	MEMBER CONYEARS-ERVIN: Not just that but
01:23PM	20	it is outside the norm of what anyone is
	21	experiencing. The question always is what is our
	22	plan if this continues? Period.
	23	MEMBER MARTIN: I agree.
	24	MEMBER MCPHILLIPS: We have a plan. We

	1	already decided it with the asset allocation. I
	2	think we stick with that. I think the biggest
	3	concern isn't the market. The bigger concern is to
	4	continue funding of the Fund starting in 2021.
01:24PM	5	MEMBER CONYEARS-ERVIN: We need to review
	6	again, we need to revisit what the plan was and
	7	that is what I asked Lorna. So at any point where
	8	if someone wants to jump in with a plan in time,
	9	but I wanted to revisit that.
01:24PM	10	MEMBER MCPHILLIPS: Maybe we change the
	11	asset allocation? Maybe take off equities or fixed
	12	income? One of those combinations of the
	13	MEMBER CONYEARS-ERVIN: No, I am just
	14	asking for the plan.
01:24PM	15	MEMBER MCPHILLIPS: Okay. That is what
	16	she's going over now I think.
	17	MS. SCOTT: But Tim makes the point, it
	18	is the concept that we are long term investors and
	19	there will be fluctuations in the market. Up and
01:25PM	20	down. Up and down.
	21	We have to stay invested on the long
	22	term. If this asset allocation model is going to
	23	get us to where we need to be, then you stick with
	24	it. You rebalance back to it when the market gives
		1

	1	you opportunity.
	2	MEMBER CONYEARS-ERVIN: Lorna, I am
	3	asking for an answer to the earlier question that I
	4	had, that is it.
01:25PM	5	MS. SCOTT: Moving right into the next
	6	part, which is cash needs and rebalancing.
	7	Jackie, do you want to take April cash
	8	needs?
	9	MS. McALLISTER: Sure. Lucky for us is
01:25PM	10	for April we're in a good time right now for
	11	collecting our tax receipts.
	12	As you can see, this was done as of April
	13	8th, as of April 8th we had a current balance with
	14	the Treasurer of 37.6 million dollars.
01:26PM	15	After we get our additional salary
	16	contributions, we will have available cash of 39.3
	17	million dollars.
	18	Obviously, we still have to pay our April
	19	benefits and our admin expenses, which will total
01:26PM	20	approximately 31.7 million.
	21	After we pay our benefits, this will
	22	leave us with the remainder of a surplus of 7.6
	23	million dollars in our cash Chase checking account.
	24	So there will be no drawdown needed for

	1	April, 2020.
	2	The next slide, Marc.
	3	This looks like a little different from
	4	last month. I think this is due, if you guys
01:26PM	5	remember, we had a surplus last month of
	6	approximately 54.6 million dollars.
	7	So we did transfer the surplus out of the
	8	Chase account into the Northern Trust account.
	9	Those appear as in if you look under
01:27PM	10	the transfer from Northern, it appears as of May
	11	and June that we're going to need to transfer money
	12	out of Northern.
	13	However, that's cash that we had in a
	14	surplus that is sitting over at Northern. It is a
01:27PM	15	little bit deceiving. Actually with the amount
	16	that we transferred, the 54 million dollars that we
	17	transferred the surplus out into Northern as of
	18	March, this money should carry us through to where
	19	we won't actually have to touch our investments
01:27PM	20	until November.
	21	I don't know if Lorna, if you want to
	22	talk about that a little bit further.
	23	MS. SCOTT: Yes, we can go to the
	24	rebalancing template next.

	1	So Jackie had said that she will need
	2	14.7 in May and 25.7 in June into the Chase account
	3	and that is 40.4 million.
	4	Looking at the rebalancing template, this
01:28PM	5	shows you where we are at Northern as of April 10th
	6	or April 9th.
	7	Going all the way down at the bottom of
	8	page, you can see we have 54.9 million. That is
	9	the money we did receive in but we never invested
01:28PM	10	it. We decided to hold it in cash.
	11	The plan right now, this is the plan, is
	12	to keep the 40.4 million that Jackie needs for
	13	benefit payments for May and June. Leave that in
	14	cash and then go ahead and spend 6 million. Go
01:28PM	15	ahead and invest in those areas of the market that
	16	has gotten real beat up, that would be the small
	17	cap and the value.
	18	We are recommending that we spend 6
	19	million. Adding 2 million to Neuberger Berman, 2
01:28PM	20	million to Jackson Square and 2 million to Brandes.
	21	Once we do that, so we start with 54.9
	22	million, we save 40.4 for our next two months
	23	benefit payments, we spend 6, that leaves us with 8
	24	and a half million.

	1	Then you can compare the last two
	2	columns, which shows how we compared to the target
	3	after the rebalancing.
	4	We're still going to be underweight in US
01:29PM	5	equity, underweight in international equity and
	6	slightly overweight in fixed income and real
	7	assets.
	8	But that is our plan is to go ahead and
	9	start investing back into US equity following our
01:29PM	10	asset allocation model.
	11	MEMBER MARTIN: I would like to make a
	12	motion to adopt our Chief Investment Officer and
	13	Callan's recommendations.
	14	MEMBER MCPHILLIPS: I will second that.
01:29PM	15	CHAIRMAN FORTUNA: There's a motion to
	16	adopt by Trustee Martin. Seconded by Trustee
	17	McPhillips.
	18	MEMBER CONYEARS-ERVIN: I have a
	19	question, too. We can go ahead with the motion.
01:30PM	20	It doesn't matter.
	21	CHAIRMAN FORTUNA: Go ahead.
	22	MEMBER CONYEARS-ERVIN: I wanted to know
	23	just with you again the performance of the ones
	24	that you are trying to add, the six to I think

	1	you said Neuberger can you go over their
	2	performance?
	3	MS. LUND: Neuberger, Jackson Square.
	4	What timeframe? Long-term? Short-term?
01:30PM	5	MEMBER CONYEARS-ERVIN: You can look at
	6	the last month because you're talking about doing
	7	this over the next month, right?
	8	MS. SCOTT: Right. Jackson Square was
	9	down 15.8 percent. Their benchmark was down 17.
01:30PM	10	They outperformed the benchmark. They are one of
	11	our downside managers, who will do better when
	12	they tend to hold their value when markets are
	13	really volatile to the downside.
	14	Neuberger Berman was down 13 percent.
01:31PM	15	Their benchmark was done 24 percent.
	16	And then Brandes was down 18. Their
	17	benchmark is down 13. Brandes is a value manager
	18	and value is really down. Again, the concept of
	19	buy low and that is what we are counting on here is
01:31PM	20	that there is going to be a rebound.
	21	MEMBER CONYEARS-ERVIN: There is going to
	22	be a rebound is that what you said?
	23	MS. SCOTT: Yes.
	24	MEMBER CONYEARS-ERVIN: Okay. I thought

	1	you said rebalance. Because right now they are
	2	outperforming their benchmark, they are still in
	3	the red. So we're hoping they based upon this,
	4	we are hoping that the market will shift back I
01:31PM	5	would hope in a couple of months or so. If it
	6	does, then we will do well. I am just trying to
	7	understand because over this short-term period
	8	we're investing to lose money possibly.
	9	CHAIRMAN FORTUNA: That's true.
01:32PM	10	MS. SCOTT: Maybe. But we are a
	11	long-term investor and this is where we are finding
	12	the best value, too. This stuff has never been so
	13	cheap really.
	14	MS. McALLISTER: Lorna, I just had a
01:32PM	15	question.
	16	MS. SCOTT: Yes
	17	MS. McALLISTER: Also, this is I guess
	18	maybe more for the City as well, though. We are
	19	anticipating in May, with the drawdown, we are
01:32PM	20	anticipating to get an additional 5 million in tax
	21	receipts from property taxes, that is where we get
	22	the 14.7.
	23	However, if there is an extension with
	24	property taxes and we're not collecting them, in

	1	the same affect that 14.7 is actually going to be
	2	higher, just to keep that in mind, if we don't get
	3	the 5 million in May like we're anticipating.
	4	MS. SCOTT: Right. That is why we kind
01:32PM	5	of tow in. That is why I am leaving 8 million
	6	dollars in cash. I am not spending more. This is
	7	6 million that is going in. I am not ripping out
	8	all of your cash.
	9	MS. McALLISTER: Okay.
01:32PM	10	MEMBER CONYEARS-ERVIN: I don't know what
	11	the perfect answer is but just to say I am very
	12	concerned about putting any money into equity right
	13	now. So I understand your point. I just don't
	14	necessarily agree with it. Not that I even think
01:33PM	15	there is a perfect answer to be honest with you
	16	right now.
	17	MS. SCOTT: You are right. It was a
	18	very, very difficult conversation that Brady and I
	19	have had.
01:33PM	20	Some of it is the concept you can't pick
	21	the bottom. You can just look and know that these
	22	returns can't last. Whether they come back next
	23	month or next year, getting in when it is low is
	24	there is upsides from here. There could be a

	1	little more downside, too, but ultimately over the
	2	long-term there has got to be upside.
	3	MEMBER CONYEARS-ERVIN: We can move on.
	4	I am just going to object. I don't see why we
01:34PM	5	would invest in any equity right now but just know
	6	I understand what you are saying. I am just
	7	nervous about it.
	8	MS. BURNS: We will make sure that the
	9	record reflects I don't know, President Fortuna,
01:34PM	10	are you going to do a roll call on this one or do
	11	you just want to do a voice vote, but then again
	12	Trustee Ervin would be a no?
	13	MS. SCOTT: Brady has one more slide. I
	14	forgot about Brady's slide. It is kind of
01:34PM	15	important.
01:34PM	15 16	important. CHAIRMAN FORTUNA: Hold on. We have a
01:34PM		
01:34PM	16	- CHAIRMAN FORTUNA: Hold on. We have a
01:34PM	16 17	CHAIRMAN FORTUNA: Hold on. We have a motion to accept. So, Tony, if you want to
01:34PM 01:34PM	16 17 18	CHAIRMAN FORTUNA: Hold on. We have a motion to accept. So, Tony, if you want to withdraw your motion so we can go forward on this.
	16 17 18 19	CHAIRMAN FORTUNA: Hold on. We have a motion to accept. So, Tony, if you want to withdraw your motion so we can go forward on this. We do have a motion and we do have a second and we
	16 17 18 19 20	CHAIRMAN FORTUNA: Hold on. We have a motion to accept. So, Tony, if you want to withdraw your motion so we can go forward on this. We do have a motion and we do have a second and we were on to questions. Now we are pulling up
	16 17 18 19 20 21	CHAIRMAN FORTUNA: Hold on. We have a motion to accept. So, Tony, if you want to withdraw your motion so we can go forward on this. We do have a motion and we do have a second and we were on to questions. Now we are pulling up another slide.

	1	slide might help answer the question.
	2	MEMBER CONYEARS-ERVIN: It might help
	3	your motion as well.
	4	MEMBER MARTIN: We will stay with this,
01:35PM	5	Dan, and let them present this and then we'll call
	6	the vote after the presentation, which basically
	7	goes to the question.
	8	CHAIRMAN FORTUNA: Alright. Leave it as
	9	is then. We're still on the question and this is
01:35PM	10	an answer to a question. Go ahead.
	11	MR. O'CONNELL: Thank you.
	12	So this slide I think really gets to the
	13	concern Madam Treasurer raised about buying into
	14	equities.
01:35PM	15	It is a very valid point that at this
	16	stage there's a probability that assets that are
	17	invested in equities will experience losses. But
	18	we do know from looking at declines over the past
	19	several decades that even the most severe losses
01:36PM	20	have been followed by pretty significant rebounds
	21	in the equity markets.
	22	If you can maintain the long-term
		If you can maintain the long-term prospective, think of money being put into equities

	1	and overseas.
	2	The value of those companies decline
	3	short-term, but over the long-term we will be
	4	buying more shares of companies and when they
01:36PM	5	rebound we will benefit from owning more shares of
	6	companies.
	7	I think this chart illustrates how we
	8	have seen pretty swift rebounds over the 12 months
	9	after hitting a market decline in all the previous
01:36PM	10	market crises we have experienced.
	11	MEMBER MARTIN: I'd like to make a real
	12	quick comment. I really appreciate you guys
	13	including this slide. I looked at it and I was
	14	like that is fantastic.
01:37PM	15	MR. O'CONNELL: Thank you.
	16	CHAIRMAN FORTUNA: Any more questions?
	17	MEMBER CONYEARS-ERVIN: Let me just say I
	18	hope that happens as well.
	19	MEMBER MARTIN: I really liked it. This
01:37PM	20	helps put things in prospective for everyone.
	21	CHAIRMAN FORTUNA: Hearing no more
	22	questions? Is there any more questions? Hearing
	23	none, we have a motion and a second. All in favor?
	24	MEMBER MARTIN: Yes.

	1	MEMBER SONI: Yes.
	2	MEMBER McPHILLIPS: Yes.
	3	MEMBER MURPHY: Yes.
	4	CHAIRMAN FORTUNA: And I am a yes.
01:37PM	5	Opposed?
	6	MEMBER CONYEARS-ERVIN: I am opposed as I
	7	stated, but I am hoping that this slide that was
	8	shown is what will benefit us later.
	9	I do thank the team for really thinking
01:37PM	10	this through. I know that this is a difficult
	11	time. I am just nervous about investing in
	12	equities right now, that's all.
	13	MEMBER MARTIN: Duly noted.
	14	CHAIRMAN FORTUNA: I might have missed
01:37PM	15	it. So is there a no?
	16	MEMBER MARTIN: Yes but the motion
	17	carries.
	18	MS. BURNS: I want the record to reflect
	19	there are five trustees in the affirmative. And
01:38PM	20	that is Trustee Fortuna, Trustee Martin, Trustee
	21	Murphy, Trustee McPhillips and Trustee Soni. Is
	22	that correct for those five people?
	23	MEMBER MARTIN: Yes.
	24	MEMBER SONI: Yes.

	1	MEMBER McPHILLIPS: Yes.
	2	MEMBER MURPHY: Yes.
	3	CHAIRMAN FORTUNA: Yes.
	4	MS. BURNS: So the motion passes.
01:38PM	5	The record is going to reflect, Trustee
	6	Fortuna, that Trustee Ervin voted in the negative
	7	for the reason she stated on the record, which is a
	8	concern of an investment in equities at this time
	9	given what she knows and what she has been told,
01:38PM	10	that is what it is. Okay?
	11	CHAIRMAN FORTUNA: Okay. Let the record
	12	be clear then.
	13	MS. BURNS: We will make sure that is
	14	spelled out.
01:38PM	15	CHAIRMAN FORTUNA: Okay. Thank you.
	16	MS. BURNS: You are very welcome.
	17	MEMBER MARTIN: Is there anything else
	18	Brady and Lorna?
	19	MS. SCOTT: One last item. The next item
01:39PM	20	is a discussion and possible action regarding the
	21	WTax.
	22	In board pack, you see a memo and an
	23	overview of the WTax service. In a nutshell, WTax
	24	is a tax withholding specialist.

	1	FABF pays taxes on its foreign income,
	2	but there are tax trees in place with countries
	3	that allow us to reclaim those taxes.
	4	Northern processes those reclaims for us
01:39PM	5	now at a minimal level of \$200 and in a very basic
	6	way.
	7	WTax believes leaving money on the table
	8	and they actually want to recover it. They will
	9	only be paid if they recover anything.
01:39PM	10	We are recommending that we hire WTax and
	11	give them a chance to find this additional cash.
	12	We can set a contract for two years and then review
	13	their service and their fees at that point in time.
	14	I would be looking for a motion to
01:40PM	15	contract with WTax to have them file for reclaims
	16	above and beyond what Northern Trust is already
	17	doing for us.
	18	MS. BURNS: Subject to successful
	19	contract review/legal review.
01:40PM	20	MS. SCOTT: Subject to successful
	21	contract negotiations.
	22	MEMBER MARTIN: I make a motion to hire
	23	WTax subject to contract negotiations.
	24	MEMBER MCPHILLIPS: Second.

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2	(WHICH WERE ALL THE PROCEEDINGS
3	IN THE ABOVE-ENTITLED MEETING
4	AT THIS DATE AND TIME.)
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1	STATE OF ILLINOIS)) SS.
2	COUNTY OF DU PAGE)
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6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
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16	
17	<u>Debbie Tyrrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
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3	
4	
5	
6	
7	
8	STENOGRAPHIC REPORT OF PROCEEDINGS had at
9	the telephonic conference meeting of the
10	above-entitled matter, on Monday, May 18, 2020,
11	commencing at the hour of 8:30 a.m.
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1	APPEARANCES
2	BOARD MEMBERS APPEARING TELEPHONICALLY:
3 4	ANTHONY MARTIN, Secretary and Active Trustee
5	WILLIAM MURPHY, Active Trustee
6	TIMOTHY McPHILLIPS, Active Trustee
7	MELISSA CONYEARS-ERVIN, City Treasurer
8	RESHMA SONI, City Comptroller
9	ANNETTE NANCE-HOLT, Active Trustee
10	ATTORNEY FOR THE BOARD:
11	BURKE, BURNS AND PINELLI, LTD.
12	BY: MS. SARAH A. BOECKMAN
13	ALSO PRESENT TELEPHONICALLY:
14	STEVEN R. SWANSON, Executive Director LORNA SCOTT, Chief Investment Officer
15	JACLYN VLAHOS, Comptroller MARC TORRES, IT Systems Analyst
16	BRADY O'CONNELL, Callan Associates CRAIG SLACK, Deputy City Treasurer
	MARK MYSLINSKI, City Treasurer Portfolio
17	Manager ZACK CZIRYAK, Financial Investment News
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1	MEMBER MCPHILLIPS: We will do roll call
2	for the Investment Committee Members. Trustee
3	Martin.
4	MEMBER MARTIN: Present
5	MEMBER MCPHILLIPS: Trustee Nance-Holt.
6	MEMBER NANCE-HOLT: Present.
7	MEMBER MCPHILLIPS: Trustee
8	Conyears-Ervin
9	MEMBER CONYEARS-ERVIN: Present. Good
10	morning.
11	MEMBER MCPHILLIPS: And I am present.
12	We also have Trustee Bill Murphy and
13	Trustee Soni.
14	Due to the fact that the United States
15	Secretary of Health and Human Services declared
16	that Covid-19 presents a Public Health Emergency,
17	and the fact that Governor Pritzker issued a
18	Disaster Proclamation in response to Covid-19, this
19	meeting will be conducted via Zoom.
20	The Governor's Executive Order 2020-33
21	stated that such meetings of public bodies could
22	take place without a quorum of trustees being
23	physically present for the meeting.
24	Additionally, the Governor suggested in

1 this order that matters considered at such meetings 2 should be limited to essential matters necessary to 3 advance the business of the public body. We are going to respect those guidelines 4 5 of the Governor's Order today. 6 The open portion of the meeting is being 7 recorded and a transcript will be available in the future on our website should anyone wish to read 8 9 the proceeding. 10 Additionally, I would ask that anyone who speaks during this meeting first identify yourself, 11 name and title, and remember that the standard 12 rules for a board and committee meetings, including 13 14 our public comments policy will apply. 15 With that being said, I will turn the 16 meeting over to Lorna our CIO. 17 MS. SCOTT: I would like to request that 18 the Committee consider a motion to go into Executive Session to start the meeting. 19 20 MS. BOECKMAN: Fund Comptroller Jackie 21 Vlahos is now on the phone. 22 MEMBER MCPHILLIPS: I'd like to make a 23 motion to go into Executive Session pursuant to 24 Section 2(c)1 of the Open Meetings Act to discuss

1	the award of specific investment contracts. Do I
2	have a second?
3	MEMBER NANCE-HOLT: Second.
4	MEMBER MCPHILLIPS: Roll call vote to go
5	into Executive Session.
6	Trustee Martin.
7	MEMBER MARTIN: Yes.
8	MEMBER MCPHILLIPS: Trustee Nance-Holt.
9	MEMBER NANCE-HOLT: Yes.
10	MEMBER MCPHILLIPS: Trustee
11	Conyears-Ervin
12	MEMBER CONYEARS-ERVIN: Yes.
13	MEMBER MCPHILLIPS: I am a yes.
14	We are now in Executive Session.
15	I note that the members of the public
16	will be disconnected from the Executive Session
17	portion of this meeting and will be able to
18	reconnect when the Committee moves back into open
19	session.
20	(The Investment Committee went into
21	Executive Session off the record.)
22	MEMBER MARTIN: Based on your
23	recommendation, do you think we should make each
24	motion separately with respect to the proposed

1	allocations?
2	MS. BOECKMAN: It is not necessary. If
3	trustees would prefer, we can separate it out and
4	do two motions. I am comfortable with that.
5	However, you don't need to because it is the same
6	dollar allocation and same investment mandate based
7	on the Consultant and Staff recommendations. It is
8	totally up to the Committee.
9	MEMBER MARTIN: I am fine with it.
10	Tim, how would you prefer it?
11	MEMBER MCPHILLIPS: I would just combine
12	it since it is only a Committee recommendation to
13	the Board.
14	MEMBER MARTIN: Fine, that is the way we
15	will do it.
16	MS. BOECKMAN: Mark, can you confirm that
17	the members of the public are back in the meeting?
18	MR. TORRES: Zach, are you back with us?
19	MR. CZIRYAK: I am. Thanks.
20	MS. BOECKMAN: As a reminder to the
21	Committee, you are now in open session.
22	MEMBER MARTIN: Mr. Chairman, I would
23	like to make a motion to make an allocation to
24	Brown Capital and Highclere International Investor

1	consistent with the Consultant and Staff
2	recommendation.
3	MEMBER HOLT: Second by Trustee Holt.
4	MEMBER MCPHILLIPS: We have a motion to
5	recommend to the full board to retain Brown Capital
6	and Highclere International Investors, based on the
7	recommendation of the Fund's Investment Consultant
8	and CIO, subject to successful contract
9	negotiations.
10	So we will have a vote on that. Trustee
11	Martin.
12	MEMBER MARTIN: Yes.
13	MEMBER MCPHILLIPS: Trustee Nance-Holt.
14	MEMBER NANCE-HOLT: Yes.
15	MEMBER MCPHILLIPS: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes.
18	MEMBER MCPHILLIPS: And I am a yes.
19	The motion passes. It will be
20	recommended to the entire Board at the next
21	meeting.
22	I would also like to make a motion to
23	recommend to the Board to keep Globeflex on watch
24	until September. Do I have a second?

1	MEMBER MARTIN: Second by Trustee Martin.
2	MEMBER MCPHILLIPS: I made a motion to
3	recommend to the Board to keep Globeflex on watch
4	until September. Seconded by Trustee Martin.
5	On the vote, Trustee Martin.
6	MEMBER MARTIN: Yes.
7	MEMBER MCPHILLIPS: Trustee Nance-Holt.
8	MEMBER NANCE-HOLT: Yes.
9	MEMBER MCPHILLIPS: Trustee
10	Conyears-Ervin.
11	MEMBER CONYEARS-ERVIN: Yes.
12	MEMBER MCPHILLIPS: And I am a yes.
13	The motion passes.
14	Next on the agenda is 2020 Callan
15	Executive Summary. Brady, please summarize your
16	report for the Committee.
17	MR. O'CONNELL: I will try to keep this
18	fairly brief but certainly would be open to
19	discussion of the quarter in more detail.
20	So just at a high level, before we dive
21	into this a little more, the first quarter of 2020
22	was a very difficult one.
23	In February of this year, in fact, when
24	we discussed 2019 results, we talked about how

extraordinarily it was a positive quarter. I think what we are seeing in the first quarter is the flip side of that coin.

The coronavirus pandemic and the containment measures that followed had a very drastic impact as we have all felt on economics and our daily lives.

The equity market recognized that negative impact very quickly. We saw a very steep drop in equity returns as you can see here on the right-hand side of the slide. Declines of up to 30 percent in small cap. We also saw value continue to struggle relative to growth.

So small cap struggled, value struggled on the equities, and as we have discussed in the past, your portfolio has a tilt towards small cap and value.

When we look at how managers have done, that had a negative impact on your results relative to the benchmark.

The fact that we have been diversifying into private equity and real estate, we haven't fully made those allocations. When we look at how you performed relative to peers, those of your

1 peers that invest more heavily in private equity 2 and real estate did not decline as much because 3 quite frankly real estate and private equity are valued on a quarterly basis. 4 5 I think we'll see the negative impact of the coronavirus and the economic shutdown feed into 6 7 those asset classes in the coming quarter or two. Because of how we invested historically 8 9 on not having as much in those private market asset 10 classes made our results relative to peers look 11 unfavorable. If you can, Mark, maybe go forward to two 12 or three slides. We will look at the results 13 14 relative to the benchmark. This is the one that I 15 think is important. 16 A very difficult quarter. The portfolio 17 was down over 17 percent. The benchmark was done 18 A very large margin of value added detracted 19 from active managers to underperforming benchmark. 20 I mentioned small in value, not 21 necessarily being in our favor, but also the bond 22 strategy detracted from results during the quarter. 23 So we have Loomis and we have Western who

are more aggressive managers. We know from past

24

experience that when there is a flight to quality market, when investors buy treasuries and sell high yield or other risky fixed income investments, both of those managers underperform by wide margins and we saw that in the first quarter.

Now what we do know is that those managers have effectively used their approach over long periods of time to add values successfully, but we do know when there is this flight to quality environment that we should expect them to underperform.

While we are disappointed that they underperformed, quite frankly, it would have been surprising if they would have beaten their benchmarks in an environment where high yield bonds and lower quality, less liquid investments sold off and treasuries rallied.

You have Earnest Partners who tend to focus more on the high quality segment of the market. They held out much better than those two managers.

We would expect both Western and Loomis
to recover the value that they lost as the segments
of the market, the fixed income market, that they

emphasize recover.

Maybe, Mark, advance to the bottom of the next slide.

Just looking at how the results of the first quarter compare to 2019, you can see that we are coming off a very positive period. I think it was very timely that we had that discussion in 2019, early part of this year, about how strongly positive the year 2019 was and how unlikely it was to be sustainable.

But if you look at the trailing calendar years, we do see that when the market is down the Fund has tended to underperform. We saw that in 2018; the calendar year. We have seen that so far in 2020. But we also see that in periods when markets are up, like 2017 and 2019, that the fund recovers value and has experienced value added relative to the benchmark.

So I think that the message I wanted to convey was one that, you know, the strategy of relying primarily upon liquid investments has detracted from results relative to peers. That active management in equities and in fixed income was disappointing during the quarter but not

1 surprising. 2 So we still have expectations that, you 3 know, over the long-term, a strategy that emphasizes smaller cap and value would be able to 4 5 outperform the market, but those conditions just weren't there during the first quarter. 6 7 The good news is I think subsequent to quarter end that we have seen a fairly meaningful 8 9 rebound. It certainly times that are difficult to 10 anticipate what future results will look like, but 11 it was a very sharp and drastic decline in the 12 markets but the good news is that it was followed 13 by a fairly significant bounce back. 14 So we continue to monitor the managers on 15 your behalf. Nothing of urgent concern from an 16 active management standpoint. 17 I will see if there are any questions 18 about the quarter or how you have done relative to 19 peers or the benchmark. 20 MEMBER MCPHILLIPS: Brady, will you be at 21 the Wednesday meeting --22 MR. O'CONNELL: Yes. 23 MEMBER MCPHILLIPS: -- to present to the 24 rest of the Board? Okay.

1 I thought the summary was very good. 2 Thank you. 3 Anyone else? Lorna, do you want to move to May cash needs and balancing template? 4 5 MS. SCOTT: We will move on to Jackie and 6 May cash needs. 7 MS. VLAHOS: For May, what we are looking at currently is we have a balance with our checking 8 9 account at Chase of approximately 13.6 million 10 dollars. We are still anticipating one more 11 contribution for our salaries of our firemen of 1.7 million. Bringing our available cash balance 12 13 at Chase of 15.3 million dollars. 14 For our month of May, we're looking at 15 approximately 31.5 million dollars in expenses and 16 the majority of that figure includes our benefit 17 checks. 18 With this, just looking at Chase alone, we are going to look at May 30th with approximately 19 16.2 million dollars of a shortage, that we're 20 going to have to take from the Northern Trust STIFF 21 22 account, which I believe we currently have around 23 45 million dollars in there to cover the difference. 24

Going to the next page, the cash flow projections. Clearly it is based on historical values. Obviously, we don't know whether or not -- I know there is an extension that just came out for property taxes to be due I think 60 days after so this is obviously based on historical.

This is going to significantly change come July and even August if -- when we are anticipating -- if you look over on the first column, that says Average Tax Receipts for July, 2020, we're anticipating 32 million dollars in cash receipts for property taxes.

With that extension, obviously, this is a new situation here. These are going to drastically change where basically in July, with those property tax receipts, we are anticipating not having to draw down.

However, with the extension of the due date -- I am not sure also if the tax bills are going to be out on time since there is this extension and how that may impact our receivables.

I know in the past where actually the tax bills have gone out late. With that being said, we know 100 percent we wouldn't get anything early at

that time.

However, do you guys know anything about that? Madam Treasurer or --

MEMBER SONI: No. This is Reshma. We haven't gotten any updates yet. From what we understand is that by the end of the week there would be more information. Of course, if there is, we will share it.

One question that I had, Jackie, is that based upon -- to your point, there's been times where the Cook County Treasurer's Office has sent bills out later with the due date of October or November, even December 1st.

When the money is in escrow, do we see the trend of that money -- I am checking over here as well, of course. Do we see that trend of the money coming in earlier for the escrow payments from, you know, the regular payments?

What I understand, even though there is going to be a due date of August 1st, there would be no penalty assessed for 60 days. The due date won't change, that is my understanding. That might change later on this week but the due date won't change. It's just that the time that you have

1 before penalties are assessed is 60 days more than 2 that due date. 3 MS. VLAHOS: So we are anticipating that the bills will go out? 4 5 MEMBER SONI: Yes. 6 MS. VLAHOS: Because I know in the past, 7 where we had it when it was October, November, if I remember correctly, those bills didn't actually go 8 9 out. People didn't even know in August what their 10 amount was. 11 MEMBER SONI: Yes. 12 MS. VLAHOS: With that being said, I still don't know if we are going to have people 13 14 paying on time or not. 15 MEMBER SONI: Right. That is the main 16 nuance that I see in this situation. The due date 17 will still be August 1st. What I would think is 18 that anybody who has an escrow account, monies in 19 an escrow, that money would go out. But if there 20 is a shortfall or if people don't have money in 21 escrow and are not paying, that is where we're 22 probably going to see the hit. 23 We are doing some research on our side 24 here as well. I will be happy to inform the board

1	if we get additional information or if we have any
2	numbers to predict what we think might be coming
3	in.
4	MS. VLAHOS: That would be perfect, as
5	well as obviously we're not going to know currently
6	but how many businesses are going to actually
7	what percent is going to reopen because obviously
8	they pay for a portion of the taxes.
9	MEMBER SONI: Yes. Now with the
10	businesses that are opening, reopening, these are
11	taxes from last year so they would be open, you
12	know, as of last year. I understand a company
13	might close down or file for bankruptcy, but if a
14	company is closing down they would still have the
15	liability to pay the taxes for last year.
16	MS. VLAHOS: Yes, definitely. I am
17	talking about ones that are not going to reopen.
18	MEMBER SONI: You mean the ones that
19	declare bankruptcy?
20	MS. VLAHOS: Exactly.
21	MEMBER SONI: Right. I just want to
22	clarify that part, but, yes, agreed, that would be
23	something we need to look into as well.
24	MS. VLAHOS: That is why I want to make

it clear, this is the based on historical numbers.

Obviously, we will know in probably hopefully in

the next couple of weeks how this is going to

actually look so we are able to update these.

As long as everything goes as it normally would, we're looking at having to -- basically, in June, where it is saying that we'll also have a deficit of 25.7 million dollars, but we still should have enough to cover that. We're still not drawing down from our managers to cover these because we have enough in STIFF to cover them.

However, come July and August, when you are looking at tax receipts of approximately

32 million in July and 56 in August, obviously, if that is a lot lower, we are going to have to -we're not going to have enough in cash. We are going to have to sell things from our managers in order to cover -- unless you guys are coming up with a plan as far as maybe something to fund us before the property taxes come in.

MEMBER SONI: Currently, I haven't heard any updated discussion on that. I can come back to the group, hopefully, by our Wednesday meeting.

MS. VLAHOS: We're in good shape until

1 July hits. 2 MEMBER MCPHILLIPS: Quick point of 3 clarification to make sure I understood what was 4 The bills are not going out late but just stated. 5 taxpayers will have a 60-day grace period without 6 penalty; is that correct? 7 MEMBER SONI: That is the understanding that we have currently. I think it still needs to 8 9 get formalized. It is something that will probably 10 happen later this week from what I heard. 11 MEMBER MCPHILLIPS: Rashma, did you say there might be an update on this situation in a 12 13 week? Is that from the County? 14 MEMBER SONI: From our contacts with the 15 County and this is purely on the side of us hearing 16 in terms of collections because all the collections 17 are sent over first to the Comptroller's Office and 18 then we distribute. We heard from one of our contacts at Cook 19 County Treasurer's Office, that they would let us 20 know by the end of the week. So that is where I am 21 22 getting the information from. 23 If I hear any updates by Wednesday, of 24 course, I will share it. If I hear anything from

1	the Mayor's Office, I will provide it. It might
2	not be by Wednesday, but if I do I definitely will
3	share it.
4	MEMBER MCPHILLIPS: I understand. It is
5	a very fluid situation. If you can work with
6	Jackie.
7	Jackie, if you can do any type of
8	analysis to maybe show how these numbers might come
9	out further down throughout the year.
10	MS. VLAHOS: Definitely.
11	MEMBER MCPHILLIPS: I think the Board
12	would like to see that.
13	MS. VLAHOS: Sure.
14	MEMBER MCPHILLIPS: Thank you, very much.
15	Anything else?
16	There won't be a need for rebalancing,
17	correct, because we're not drawing down any cash?
18	MS. SCOTT: Let's look at the rebalancing
19	template.
20	MEMBER MCPHILLIPS: Sure.
21	MS. SCOTT: This shows our current
22	positioning as of May 11th. If you look at the
23	bottom of the first column, you can see cash, very
24	bottom of the first column, is 49.2 million. So

for the end of this month Jackie needs 16.5. We have 32.7, as long as we don't spend, we will have enough to cover the 25.7 that she is estimating.

So when you look at us versus our asset allocation policy, which is the very last column, the target versus where we were, as of the end of May we will be overweight in cash but we all know that is temporary. We are holding that cash to pay benefits. And I think that is really the point tjat we're overweight in cash right now but it is temporary and that is making all the other numbers look a little bit off but we're still within range.

That is all I wanted to say on the rebalancing template as far as just highlighting where we are currently with cash and the future draws coming up.

MEMBER MCPHILLIPS: Lorna, when would you anticipate funding the new SMID international mandate?

MS. SCOTT: When we are done with contracting, maybe in the next eight weeks. That money will come from our current positioning, but if you look at the Epoch portfolio of 27.2 million and the Globeflex of 24.3, both of those will just

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1
     change managers.
2
               MEMBER MCPHILLIPS: Okay. You think you
 3
     might do that in eight weeks?
               MS. SCOTT: Yes. If we start
 4
 5
     contracting, the side letters usually go pretty
 6
     quickly.
 7
               MEMBER MCPHILLIPS: I heard you say eight
     weeks twice and I didn't see Sarah blink an eye so.
8
               MS. BOECKMAN: I am prepared for that
9
10
     timeline.
11
               MEMBER MCPHILLIPS: Anything else?
               MS. SCOTT: That is all.
12
13
               MEMBER MCPHILLIPS: I have on this Agenda
14
     Public Comments. I thought we did that in the
15
     beginning.
16
               MS. BOECKMAN: That is okay, we did not
17
     handle public comment yet so we do need to handle
18
     that item before we move on to the next agenda
19
     item. I think the last thing on the Agenda is to
                        I think the only member of the
20
     adjourn.
     public on the call is Zach.
21
22
               Zach, I don't know if you have any
23
     interest in making a comment during this portion?
24
               MR. CZIRYAK: No. But, thank you, though
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1
     for the opportunity.
2
               MEMBER MCPHILLIPS: Motion to adjourn.
     Do I have a second?
3
               MEMBER NANCE-HOLT: Second.
4
5
               MEMBER MCPHILLIPS: Seconded by Trustee
6
     Holt.
7
               All in favor?
8
                    (Chorus of ayes.)
9
                (WHICH WERE ALL THE PROCEEDINGS
10
11
                IN THE ABOVE-ENTITLED MEETING
12
                AT THIS DATE AND TIME.)
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
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6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
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18	License No. 084-001078
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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1074)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the audio conference meeting of the above-entitled
12	matter, on Wednesday, May 20, 2020, commencing at
13	the hour of 8:30 a.m.
14	
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1	APPEARANCES
2	BOARD MEMBERS APPEARING TELEPHONICALLY:
3	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7 8	TIMOTHY McPHILLIPS, Active Trustee
9	MELISSA CONYEARS-ERVIN, City Treasurer
10	RESHMA SONI, City Comptroller
11	ANNETTE NANCE-HOLT, Active Trustee
12	ATTORNEYS FOR THE BOARD:
13	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS MR. VINCENT PINELLI
14	MR. VINCENI PINELLI
15	ALSO PRESENT APPEARING TELEPHONICALLY:
16	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
17	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
18	JOHN CONNESS, Fund Accountant DANIEL G. SAMO, M.D., Board Physician
19	MICHAEL I. PETERS, M.D., Board Physician MARC TORRES, IT Systems Analysis
20	MARK MYSLINSKI, City of Chicago Portfolio Manager
21	LEE ANN MCKAY DAVID J. LIETZ
22	FRANK R. BURENS ANDREW R. GUTH
23	STEVEN E. WHITERS WILLIAM K. CLEMENS
24	

1	CHAIRMAN FORTUNA: Tony, I am going to
2	ask you to start the roll call. It is 8:30.
3	MEMBER MARTIN: Mr. President, thank you.
4	Trustee Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Here .
6	MEMBER MARTIN: Trustee Soni.
7	MEMBER SONI: I am here.
8	MEMBER MARTIN: Trustee Holt.
9	MEMBER NANCE-HOLT: Present.
10	MEMBER MARTIN: Trustee Murphy.
11	MEMBER MURPHY: Here.
12	MEMBER MARTIN: Trustee McPhillips.
13	MEMBER MCPHILLIPS: Here.
14	MEMBER MARTIN: Trustee Fortuna.
15	CHAIRMAN FORTUNA: Present.
16	MEMBER MARTIN: And I am present.
17	Mr. President, remarks.
18	CHAIRMAN FORTUNA: I would like to make a
19	brief remark. I would like to congratulate Brother
20	Bill Murphy for winning the Second District.
21	Congratulations.
22	MEMBER MURPHY: Thank you.
23	CHAIRMAN FORTUNA: I know it was a
24	landslide for you, but congratulations. Chicago

Fire Firefighters Union Second District Business
Agent Bill Murphy.

MEMBER MURPHY: Thank you.

MS. BURNS: Before we get started, Mr.

President, may I just also let everybody on the phone know that we are recording this open meeting as required by the Governor's Executive Order and I would ask people to identify themselves when speaking, if possible.

Anybody who is on the phone but not speaking, we would request that if they could kindly mute their phones while Secretary Martin and Trustee McPhillips are running through the regular order of business to allow you and everybody else on the phone to be able to hear people speaking.

CHAIRMAN FORTUNA: Okay.

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

24 Are there any requests for public comment

1	today?
2	CHAIRMAN FORTUNA: Hearing none,
3	Secretary Martin, please proceed.
4	MEMBER MARTIN: First, return to the
5	Approval of Administrative Items. Approval of
6	Minutes of regular audio meeting March 18, 2020
7	Mary Pat, do you think I should do them
8	all together or individually?
9	MS. BURNS: Sir, I think that you can do
10	those all together, unless some Trustee objects.
11	I will say I have reviewed the
12	transcripts for the audio meetings and they appear
13	to be consistent with the minutes.
14	MEMBER MARTIN: Then we'll continue on
15	for the approval of the Minutes of the Regular
16	Audio Meeting March 18, 2020, Special Audio Meeting
17	April 1, 2020, the Regular Audio Meeting of April
18	15, 2020, the Special Meeting transcript of April
19	15, 2020 and the regular audio transcript of April
20	15th of 2020.
21	Mr. President, I move to approve the
22	transcripts and minutes.
23	CHAIRMAN FORTUNA: There is a motion to
24	approve by Trustee Martin. Is there a second?

1	MEMBER NANCE-HOLT: Second by Trustee
2	Holt.
3	CHAIRMAN FORTUNA: Seconded by Trustee
4	Holt. All in favor?
5	(Chorus of ayes.)
6	CHAIRMAN FORTUNA: Opposed?
7	Hearing none, motion carries.
8	MEMBER MARTIN: Mr. President, moving to
9	Item B, Minimum Formula Annuities. I make the
10	motion to approve the Minimum Formula Annuities as
11	presented by staff to the Board.
12	MEMBER MURPHY: Second.
13	CHAIRMAN FORTUNA: There is a motion by
14	Trustee Martin. Seconded by Trustee Murphy. All
15	in favor?
16	(Chorus of ayes.)
17	CHAIRMAN FORTUNA: Opposed?
18	Hearing none, motion carries.
19	MEMBER MARTIN: Mr. President, moving to
20	Item C, Widows and Children's Annuities. I move to
21	approve the Widow and Children Annuities as
22	presented by staff to the Board.
23	MEMBER NANCE-HOLT: Second.
24	CHAIRMAN FORTUNA: Motion to approve by
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1
     Trustee Martin. Seconded by Trustee Holt. All in
2
     favor?
 3
                    (Chorus of ayes.)
               CHAIRMAN FORTUNA: Opposed?
 4
 5
               Hearing none, motion carries.
               MEMBER MARTIN: Mr. President, Item D,
 6
7
     Refunds. This month there are none.
8
               Moving to Item E, Death Benefits.
9
     like to move to approve the Death Benefits as
10
     presented by staff to the Board.
11
               MEMBER MURPHY: Second.
12
               CHAIRMAN FORTUNA: Motion by Trustee
13
     Martin. Seconded by Trustee Murphy. All in favor?
14
                    (Chorus of ayes.)
15
               CHAIRMAN FORTUNA: Opposed?
16
               Hearing none, motion carries.
17
               MEMBER MARTIN: Moving to Item F, Partial
18
     Payments. I move to approve the Partial Payments
     presented by staff to the Board.
19
20
               MEMBER McPHILLIPS: Second.
21
               CHAIRMAN FORTUNA: Motion by Trustee
              Seconded by Trustee McPhillips. All in
22
     Martin.
23
     favor?
24
                    (Chorus of ayes.)
```

1	CHAIRMAN FORTUNA: Opposed?
2	Hearing none, motion carries.
3	MEMBER MARTIN: Item G, Benefit
4	Recalculations. I move to approve the Death
5	Benefit Recalculations. In this case there is a
6	Refund Errors in Deductions.
7	MEMBER NANCE-HOLT: Second.
8	CHAIRMAN FORTUNA: Motion to approve by
9	Trustee Martin. Seconded by Trustee Holt. All in
10	favor?
11	(Chorus of ayes.)
12	CHAIRMAN FORTUNA: Opposed?
13	Hearing none, motion carries.
14	MEMBER MARTIN: Mr. President, under Item
15	H, Request for Permission. This month there are
16	none.
17	I'd like to move on to Item I, which is
18	Removals. I'd like to make a motion to approve the
19	Removals as presented by staff to the Board.
20	MEMBER MURPHY: Second.
21	CHAIRMAN FORTUNA: There is a motion by
22	Trustee Martin. Seconded by Trustee Murphy. All
23	in favor?
24	(Chorus of ayes.)

1	CHAIRMAN FORTUNA: Opposed?
2	Hearing none, motion carries.
3	MEMBER MARTIN: Mr. President, under Item
4	3, Request for Approval of Payment Pursuant to
5	Administrative and Court Order. I move to approve
6	the QILDRO matters listed in the agenda.
7	MEMBER NANCE-HOLT: Second.
8	CHAIRMAN FORTUNA: There's a motion by
9	Trustee Martin. Seconded by Trustee Holt. All in
10	favor?
11	(Chorus of ayes.)
12	CHAIRMAN FORTUNA: Opposed?
13	Hearing none, motion carries.
14	MEMBER MARTIN: Mr. President, under Item
15	4, Investments, we have a couple of topics. The
16	Investment Report and possible action regarding
17	Committee recommendations as well as the Investment
18	Report for April, 2020.
19	Lorna, would you walk us through the
20	Investment Agenda items?
21	MS. SCOTT: The Investment Committee
22	Report. The Investment Committee met on Monday.
23	There were four items on our agenda.
24	Number one was the international small

1 cap equity RFP. The Committee heard five finalist 2 presentations. After discussions, the Committee is 3 recommending hiring Brown Capital and Highclere. Allocating 25 million dollars each subject to 4 5 successful contract negotiations. Item two was a review of the Globeflex 6 7 Watch List status. After discussion, the Committee is recommending GlobeFlex stay on watch status 8 9 until September. 10 Item three on the agenda was the Callan 11 presentation on the first quarter performance There was a discussion on cash needs. 12 review. The 13 Committee reviewed the current asset allocation and 14 cash forecast and no action is required at this 15 time. 16 So I would like a motion to ratify the 17 Committee's recommendation for the international 18 small cap RFP finalists and keeping Globeflex on watch status. 19 20 CHAIRMAN FORTUNA: Is there a motion? 21 MEMBER MCPHILLIPS: I will make that 22 motion. 23 Thank you, Lorna. 24 MEMBER NANCE-HOLT: Second.

1 CHAIRMAN FORTUNA: Motion by Trustee McPhillips. Seconded by Trustee Holt. All in 2 3 favor? (Chorus of ayes.) 4 5 CHAIRMAN FORTUNA: Opposed? Hearing none, motion carries. 6 7 MS. SCOTT: On to the next item, the 8 Investment Report for April. There are four items 9 here. I am only going to cover the performance 10 slide and I will ask Mark to share the screen. 11 Looking at performance, this first slide 12 shows the benchmark performance for various asset 13 classes. It is a much better chart than the one we 14 saw in March. The government stimulus, the slowing 15 of the virus spread and a shift of focus to 16 reopening of the economy were all positive. 17 Generally, some themes that we see here 18 is that the U.S. stocks have outperformed small cap; a lot better than large cap. Growth still 19 20 outperformed value. Emerging did better than 21 non-U.S. 22 The next slide looks at the market on a 23 year-to-date basis. So the April rebound was not 24 enough to offset the losses for the year. Asset

classes are still negative. The themes are still basically the same. Small cap is underperforming large cap. Growth is outperforming value.

- The Fund is invested in both these areas.

 Like we said last month, these tilts are going to

 hurt us versus the policy target.
- Looking at the next slide, which shows our Fund return versus the policy target. For the month of April the Fund is up 7 percent. Slightly behind the top policy target which is up 7.35. The year-to-date, the Fund is still down 11.9 percent, behind the policy target which is down 8.19 percent.
- The next slide kind of explains a little bit more the underperformance versus the policy target.
 - For April, we underperformed the policy target by 0.3 percent. Most of that underperformance can be attributed to asset allocation. That's not the exact same weight as the policy target.
- The biggest distraction in April was the
 Fund's holding of cash. We hold that cash for
 benefit payments. It is a temporary holding of

cash but in a one month period, where the market
was strongly up, holding cash was a negative, that
was the primary reason that we underperformed in
April. Manager's style selection was positive and
that was primarily due to strong performance by
Loomis and Western.

Next slide breaks down the targets on a year-to-date basis. Year-to-date we are underperforming by 3.8 percent.

If you look at the last three columns, most of the underperformance is coming from style selection and manager selection, that minus 3.8 percent. Mostly within U.S. equities and within fixed income. Within U.S. equities, it was primarily our allocations to value that hurt. Within fixed income it was being invested in the asset classes. They are a little bit more risky, which is where Western and Loomis had put us.

We expect both of those areas to recover over the long-term.

The next couple of slides give you additional return data. I will leave that information for your review, but again that is just an overview of performance.

```
1
               It was a very, very strong month in
2
     April. I am hoping for more of that.
 3
               With that, I will conclude my Investment
 4
     Report.
 5
               MEMBER MARTIN: Lorna, do we still need a
     motion to leave Globeflex on watch?
 6
 7
               MS. SCOTT: That was part of the
8
     Committee recommendations.
9
               MEMBER MARTIN: Okay. I thought the
     first one was to hire.
10
11
               MS. BURNS: It was a motion to accept the
     recommendations of the Investment Committee so
12
13
     Lorna was correct.
14
               MEMBER MARTIN: I am not disagreeing.
15
     just wanted clarification.
16
               CHAIRMAN FORTUNA: Is there a motion to
17
     accept?
18
               MEMBER NANCE-HOLT: Motion to accept.
19
               MEMBER MCPHILLIPS: I will second it.
               CHAIRMAN FORTUNA: Motion to accept the
20
21
     Investment Report by Trustee Holt. Seconded by
22
     Trustee McPhillips Phillips. All in favor?
23
                    (Chorus of ayes.)
24
               CHAIRMAN FORTUNA: Opposed?
```

```
1
               Hearing none, motion carries.
2
               MEMBER MARTIN: Moving on, we have the
 3
     hearings.
 4
               Lori, are we ready to proceed with the
 5
     hearings?
               MS. LUND: We are ready if Vince is
 6
 7
     ready, if that is where you want to go now, as long
8
     as Mark can confirm that everybody has called in.
 9
               MR. TORRES: Yes. Everyone who was
10
     supposed to call in is here with us.
11
               MS. LUND: Great. Then I think we are
12
     ready to proceed.
13
               MEMBER MARTIN: Firefighter David Lietz,
14
     Engine 50, are you on the phone?
15
               MR. LIETZ: Yes.
16
               MEMBER MARTIN: Firefighter Lietz, this
17
     is your Occupational Disability hearing.
18
               For your information, Vince Pinelli, our
     Fund attorney, who is also online, will be
19
     conducting this hearing.
20
21
               Without anything further, Vince.
22
               MR. PINELLI: Thank you, Mr. Secretary.
23
               Good morning, Mr. Lietz. As you have
24
     been told, I am one of the attorneys for the Fund.
```

1 I will be conducting this hearing for the record. I would just like to advise you of some 2 3 preliminary matters. First of all, there are seven trustees present on the call at this time to hear 4 5 the evidence on your application. 6 If you don't know you should know you 7 need the yes vote of at least five of those seven trustees. Do you understand that? 8 9 MR. LIETZ: Yes, sir. 10 MR. PINELLI: Okay. Also, we are going 11 to introduce exhibits that have been provided to you by the Fund staff. I just want to make sure 12 that you received those exhibits and you had the 13 14 opportunity to review them. 15 MR. LIETZ: Yes, sir. 16 MR. PINELLI: Okay. Lastly, you do not have any objection to the introduction of those 17 18 exhibits, do you? 19 MR. LIETZ: No, sir. 20 MR. PINELLI: Okay. Thank you. 21 Then, Mr. Secretary, I just note for the 22 record that this is an application by Firefighter 23 Lietz for an Occupational Disease Disability

benefit based upon a heart condition that he has

24

1	and that he has been treated for.
2	He entered service in 1998 and developed
3	this condition during the time that he has been in
4	service with the Fire Department.
5	Mr. Chairman, at this time I would move
6	for admission of Board Exhibits 1 through 11,
7	without objection from the applicant.
8	MR. LIETZ: No objection.
9	CHAIRMAN FORTUNA: Admitted without
10	objection.
11	(Board Exhibits 1 through 11
12	were admitted into evidence.)
13	MR. PINELLI: Thank you.
14	Before I start testimony, may I please
15	have the witness and the doctor sworn in?
16	(Mr. Lietz and Doctor Peters
17	were sworn in.)
18	MR. PINELLI: Thank you.
19	DAVID J. LIETZ
20	a witness herein, having been first duly sworn, was
21	examined and testified as follows:
22	EXAMINATION
23	BY MR. PINELLI:
24	Q Just a brief question or two here. First

1 of all, the condition that you have that you 2 received treatment for, your heart condition, did 3 you develop that condition while you have been in service with the Fire Department? 4 5 Α Yes. 6 Since you went on layup have you engaged 7 in any activities by which you earn income? 8 Α Activities on which I was what, sir? 9 Sorry. 10 Since you went on layup have you engaged 11 in activities by which you earned income? 12 No, sir. Α 13 Thank you. Are you currently receiving 14 treatment for your heart condition? 15 Α Yes, sir. 16 MR. PINELLI: Thank you. That is all the 17 questions I have of Mr. Lietz. 18 CHAIRMAN FORTUNA: Trustees, any questions? 19 20 MR. PINELLI: At this time I would call Doctor Peters to testify. 21 22 MICHAEL I. PETERS, M.D. 23 a witness herein, having been first duly sworn, was examined and testified as follows: 24

1	EXAMINATION
2	BY MR. PINELLI:
3	Q Sir, would you please state your name?
4	A Michael I. Peters.
5	Q And you are a physician; is that correct?
6	A Yes.
7	Q Do you perform a function as a consultant
8	to this fund?
9	A Yes.
10	Q In that capacity, do you examine
11	applicants and report to the Board?
12	A Yes, I do.
13	Q Did you follow that procedure with
14	respect to Mr. Lietz?
15	A Yes, I did.
16	Q With respect to your examination, doctor,
17	did you conduct a telephone examination of him due
18	to the current restrictions from the Covid-19?
19	A Yes, it was limited to a telephone
20	interview.
21	Q During your interview with him, was the
22	information that he provided to you consistent with
23	the medical records that you did in fact review?
24	A Yes, it was.

Q Doctor, did you file a written report with the Board that is marked as Board Exhibit Number 2?

A Yes, I did.

Q Doctor, could you just summarize for us, if you would, what Mr. Lietz's diagnosis and condition is and what treatment he subsequently underwent?

A Mr. Lietz was diagnosed with a posterior wall myocardial infarction on January 31st of this year. He underwent a coronary artery angiogram with angioplasty and had a stent placed in his circumflex coronary artery. He was supposed to start cardiac rehab but that has been put on hold due to the Covid-19 emergency.

Q Based upon that fact that he has not been able to complete his cardiac rehab, in his current condition do you believe that he would be able to return to his active duties as a firefighter?

A I am unable to make that assessment because it's not clear whether he could function at 12 mets of exercise because he hasn't been able to participate in rehab.

Q But the lack of that information, would

```
1
     that indicate to you that it would not be advisable
2
     that he return to active fire fighting duties at
3
     this time?
          A He can't return to active fire fighting
 4
5
     duties at this time without an assessment of his
 6
     exercise capacity.
7
               MR. PINELLI: Alright. Thank you,
8
     doctor. I have no further questions.
9
               Are there any questions from the
10
     Trustees?
11
               The presentation would be concluded at
     this time.
12
13
               MEMBER MCPHILLIPS: I will make a motion
14
     to grant.
15
               CHAIRMAN FORTUNA: Motion to grant by
16
     Trustee McPhillips.
17
               MEMBER MARTIN: Second.
18
               CHAIRMAN FORTUNA: Seconded by Trustee
19
     Martin.
20
               Trustee Martin.
21
               MEMBER MARTIN: Yes.
               CHAIRMAN FORTUNA: Trustee Soni.
22
               MEMBER SONI: Yes.
23
24
               CHAIRMAN FORTUNA: Trustee
```

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	MEMBER MARTIN: At this time I'd like to
11	make a motion for reexam consistent with the Fund's
12	policy.
13	MEMBER MURPHY: Second.
14	CHAIRMAN FORTUNA: Motion for reexam by
15	Trustee Martin. Seconded by Trustee Murphy. All
16	in favor?
17	(Chorus of ayes.)
18	CHAIRMAN FORTUNA: Opposed?
19	Hearing none, motion carries.
20	MEMBER MARTIN: Mr. President, I would
21	also like to make a motion to adopt the Findings of
22	Fact prepared by the Fund's counsel.
23	MEMBER McPHILLIPS: Second.
24	CHAIRMAN FORTUNA: Motion by Trustee

```
1
     Martin.
              Seconded by Trustee Phillips. All in
2
     favor?
 3
                    (Chorus of ayes.)
               CHAIRMAN FORTUNA: Opposed?
 4
 5
               Hearing none, motion carries.
               Sir, based on the Findings of Fact made
 6
 7
     by the Trustees, the Trustees have voted to grant
     you the benefit you have requested.
8
 9
               You will be notified by mail of the
     Findings of Fact and the Board's decision.
10
11
               Thank you.
12
               MR. LIETZ: Thank you all very much.
13
               MEMBER MARTIN: I'd like to move on to
     the Occupational Disease Disability application for
14
15
     Lieutenant Paramedic Frank R. Burens, 5-1-1.
16
                         Frank, are you here?
17
               MR. BURENS: I am here.
18
               MEMBER MARTIN: Let the record reflect
     this is the Occupational Disease Disability
19
     application for Lieutenant Paramedic Frank R.
20
21
     Burens, 5-1-1.
22
               Frank, for your information, the Fund
23
     attorney Vince Pinelli is going to be conducting
24
     this hearing.
```

1 Without anything further, Vince. 2 MR. PINELLI: Thank you, Mr. Secretary. 3 Good morning, Mr. Burens. MR. BURENS: Good morning. 4 5 MR. PINELLI: I'd like to advise you of 6 some preliminary matters before we start evidence. 7 There are seven trustees currently on 8 this call to hear the evidence on your application. 9 If you don't know you should know you would need 10 the yes vote of at least five of those seven 11 trustees. Do you understand that? 12 MR. BURENS: I understand. 13 MR. PINELLI: In addition, I assume you 14 do not have an attorney representing you. 15 your desire to proceed without an attorney? 16 MR. BURENS: That's correct. 17 MR. PINELLI: Lastly, it is the 18 applicant's burden of proof to present sufficient evidence to the Board in order for the Board to 19 grant this benefit. Do you understand that? 20 21 MR. BURENS: I do. 22 MR. PINELLI: Okay. By way of 23 procedures, I am going to ask you a few questions. 24 The board members may or may not have questions of

1	you. If they don't, then I will call the doctor to
2	testify. And if there is anything you think we
3	should ask the doctor that I haven't, just let me
4	know and you will be given that opportunity. Do
5	you understand the procedures?
6	MR. BURENS: Understood.
7	MR. PINELLI: Thank you. Could we have
8	the witnesses sworn to testify?
9	(Mr. Burens and Dr. Samo
10	were sworn to testify.)
11	FRANK R. BURENS
12	a witness herein, having been first duly sworn, was
13	examined and testified as follows:
14	EXAMINATION
15	BY MR. PINELLI:
16	Q Mr. Burens, could you please state your
17	name for the record?
18	A Frank R. Burens.
19	Q Thank you. And, sir, what is your rank
20	with the Fire Department?
21	A Lieutenant Paramedic.
22	Q Did you have an opportunity to review the
23	Board's exhibits that were tendered to you prior to
24	today's date?

1 Α I have. 2 Do you have any objection to their Q 3 admission into the record in support of your 4 application? I do not. 5 Α 6 MR. PINELLI: Thank you. 7 Mr. Chairman, I move for admission of 8 Board Exhibits 1 through 11, without objection from the applicant. 9 Please admit without 10 CHAIRMAN FORTUNA: 11 objection. (Board Exhibits 1 through 11 12 13 were admitted into evidence.) BY MR. PINELLI: 14 15 Q Now, sir, you are applying for this 16 Occupational Disease Disability benefit based upon 17 a medical condition that you have and that is colon 18 cancer; is that correct? 19 Correct. Α 20 You entered service in the Fire 21 Department in what year? March of 1990. 22 Α 23 Q So did you develop that condition during 24 the time that you have been in service with the

1	Fire Department?
2	A That is correct.
3	Q Can you tell us please since you went on
4	layup have you engaged in any activities by which
5	you earned income?
6	A I have not.
7	Q Are you still undergoing treatment for
8	your condition?
9	A I am.
10	MR. PINELLI: Thank you. That is all the
11	questions I have of the applicant.
12	CHAIRMAN FORTUNA: Any questions?
13	No questions.
14	MR. PINELLI: Thank you.
15	Moving on, I would call Doctor Samo to
16	testify.
17	DANIEL SAMO, M.D.
18	a witness herein, having been first duly sworn, was
19	examined and testified as follows:
20	EXAMINATION
21	BY MR. PINELLI:
22	Q Sir, please state your name.
23	A Daniel Samo.
24	Q You're a physician; is that correct?

1 Α Yes. 2 Is a copy of your qualifications attached Q 3 to the Board Exhibits? Yes. 4 Α 5 Q Do you perform a function as a consultant to this fund? 6 7 Α Yes. 8 In that capacity, do you review medical Q 9 records, examine or interview applicants and then 10 file a written report with the Board? 11 Α Yes. 12 Did you follow that procedure with 13 respect to Mr. Burens? 14 Α Yes. 15 Q Did you file a written report that is marked as Board Exhibit Number 2? 16 17 Α Yes. 18 Doctor, did you conduct a teleconference with him? 19 20 I did do a teleconference, yes. Α 21 Was the information that he provided to Q 22 you in that teleconference consistent with the 23 medical records that you reviewed? 24 Α Yes.

1 Doctor, can you just summarize for us 2 what his current condition is? 3 Currently he is in the midst of treatment. He had colon cancer found on a routine 4 5 colonoscopy. He initially had chemotherapy, a resection of a liver metastasis, a lung metastasis, 6 7 then radiation. And he's supposed to be having a colon resection that was scheduled for last Friday, 8 9 but I don't know if that happened or not. So he is 10 still in the middle of his therapy. 11 Doctor, based upon those conditions and Q that treatment, do you believe he would be able to 12 13 perform his duties with the Department? 14 Α No. 15 Q Doctor, finally, is the colon cancer that 16 the applicant has the type of cancer that may be 17 caused by exposure to heat, radiation, or a known 18 carcinogen as defined by the International Agency for Research on Cancer? 19 Α 20 Yes. 21 MR. PINELLI: Thank you, doctor. That is 22 all the questions I have. 23 CHAIRMAN FORTUNA: Trustees, any

24

questions?

1	MEMBER MARTIN: At this time I'd like to
2	make a motion to grant.
3	MEMBER HOLT: Seconded by Trustee Holt.
4	CHAIRMAN FORTUNA: There is a motion to
5	grant by Trustee Martin. Seconded by Trustee
6	Holt.
7	Trustee Martin.
8	MEMBER MARTIN: Yes.
9	CHAIRMAN FORTUNA: Trustee Soni.
10	MEMBER SONI: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee McPhillips.
15	MEMBER McPHILLIPS: Yes.
16	CHAIRMAN FORTUNA: Trustee Holt.
17	MEMBER NANCE-HOLT: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: And I am a yes.
21	MEMBER MARTIN: Mr. President, I'd like
22	to make a motion for reexam consistent with the
23	Fund's reexam policy.
24	MEMBER MURPHY: Second.

```
1
               CHAIRMAN FORTUNA: Motion for reexam by
2
     Trustee Martin. Seconded by Trustee Murphy. All
 3
     in favor?
                    (Chorus of ayes.)
 4
 5
               CHAIRMAN FORTUNA: Opposed?
               Hearing none, motion carries.
 6
 7
               MEMBER MARTIN: Mr. President, at this
8
     time I'd like to make a motion to adopt the
     Findings of Fact prepared by Fund counsel.
 9
               MEMBER McPHILLIPS: Second.
10
11
               CHAIRMAN FORTUNA: Motion to adopt the
     Findings of Fact by Trustee Martin. Seconded by
12
13
     Trustee McPhillips. All in favor?
14
                    (Chorus of ayes.)
15
               CHAIRMAN FORTUNA: Opposed?
16
               Hearing none, motion carries.
17
               Based on the Findings of Fact and
18
     conclusions of law made by the Trustees, the
     Trustees have voted to grant you the benefit you
19
20
     have requested.
21
               You will be notified by mail of the
     Findings of Fact and the Board's decision.
22
23
               Thank you and good luck.
24
               MR. WHITERS: Thank you, very much.
```

1 MEMBER MARTIN: Is Firefighter Clemens on the line? 2 MR. CLEMENS: Yes. 3 MEMBER MARTIN: Let the record reflect 4 this is the Duty Disability application for 5 Firefighter William J. Clemens, Truck 59. 6 Firefighter Clemens, this hearing is 7 going to be conducted by Fund counsel Vince 8 Pinelli. 9 Without anything further, Vince. 10 MR. PINELLI: Thank you, Mr. Secretary. 11 Good morning, Mr. Clemens. 12 As you have been told, I am one of the 13 attorneys for the Fund. I will be conducting this 14 hearing for the record. I'd like to advise you of 15 some preliminary matters before we start 16 presentation of evidence. 17 First of all, there are seven trustees 18 present at this time to hear the evidence on your application. If you don't know you should know the 19 Pension Code requires you get the yes vote or an 20 affirmative vote of at least five of the seven 21 22 trustees. Do you understand that? 23 MR. CLEMENS: Yes, sir. 24 MR. PINELLI: Also, I see that you

```
1
     decided to proceed without an attorney.
                                               Is it your
2
     intention to proceed to the hearing without an
 3
     attorney?
               MR. CLEMENS: Yes, sir.
 4
 5
               MR. PINELLI: Lastly, it is the
 6
     applicant's burden of proof to present sufficient
 7
     evidence to the Board in order for the Board to
     grant this benefit. Do you understand that it is
8
 9
     your burden of proof?
10
               MR. CLEMENS: Yes, sir.
11
               MR. PINELLI: Okay. Thank you.
               Procedurally, I am going to ask you some
12
13
     questions. The Board may or may not have questions
     of you. Then I will call Doctor Peters to testify.
14
15
     If there is anything I don't ask him that you think
16
     is important for the Board to know, please let me
17
     know and you will be given that opportunity. Do
18
     you understand?
19
               MR. CLEMENS: Yes, sir.
20
               MR. PINELLI: Thank you.
21
               May I have the witnesses sworn to
     testify?
22
23
                    (Mr. Clemens and Dr. Peters
24
                    were sworn.)
```

1	WILLIAM J. CLEMENS
2	a witness herein, having been first duly sworn, was
3	examined and testified as follows:
4	EXAMINATION
5	BY MR. PINELLI:
6	Q Sir, would you just state your name for
7	the record?
8	A William J. Clemens.
9	Q What's your rank with the Fire
10	Department?
11	A Firefighter.
12	Q What was your last assignment before you
13	went on layup?
14	A Truck 59.
15	Q Mr. Clemens, did you receive a copy of
16	the Board Exhibits in advance of today's hearing?
17	A I have.
18	Q Did you have the opportunity to review
19	them?
20	A Yes, I have.
21	Q Do you have any objection to their
22	admission into the record in support of your
23	application?
24	A I do not.

1 MR. PINELLI: Thank you. 2 Mr. Chairman, I would move for admission 3 of Board Exhibits 1 through 12, without objection. (Board Exhibits 1 through 12 4 5 were admitted into evidence.) CHAIRMAN FORTUNA: Exhibits will be 6 7 admitted, without objection. 8 MR. PINELLI: Thank you. 9 BY MR. PINELLI: 10 Now, sir, you are making an application 11 for a Duty Disability benefit based upon an injury that you suffered on March the 3rd of 2019; is that 12 13 correct? 14 I believe it was March 2nd. Α 15 Q I'm sorry, you're correct, March the 2nd, 16 that is the date of the injury? 17 Α Yes, sir. 18 Now, understanding the Board has the Q benefit of reviewing your sworn statement, could 19 20 you just summarize for us briefly where you were and what happened to you that caused you the 21 22 injury? 23 Α Yes. We were called to a fire at 61st 24 and Spalding and there was a fire in the attic and

- I went up into the attic to perform my duties as a truckman. And while doing those duties, I severely hurt my back and I had a hard time getting back out the fire once the fire progressively got worse. I had a hard time getting out of the fire.
 - When I came out, I seen my Lieutenant Pat
 Murphy. He instantly seen me and called the
 ambulance for me.
 - Q Okay. Can you tell us specifically were you doing some particular action or activity when you first experienced the problem?
 - A Well, while going in the attic, I was doing search and rescue. Also knocking out ceiling, doors and windows, whatever was in the way, searching the whole second floor.
 - Q Now, sir, the pain was it in your lower back, your lumbar region?
 - A Yes, it was.

- Q You had prior injuries according to the records to your lumbar spine before this; is that correct?
- 22 A That is true, yes.
- Q And back in 1999 did you have a surgical procedure due to a duty injury that you incurred?

A I don't believe it was '99. I believe
that is not true. I think that was in the 80's
when I had a surgery. But I did get hurt in I
believe like two or three years ago. I got hurt
while at another fire when I was on an engine
performing duties on the hydrant.

Q Okay. As a result of that injury, did you receive medical treatment?

A I did. I was laid up and I received steroid shots and I eventually got back on the -- I went back to Work Hardening and did good enough to get back on-the-job.

Q Then did you work consistently from that time until this incident on March the 2nd of '19?

A Yes, I did.

Q During that time period while you were working, were you experiencing any problems with your lower back?

A I don't believe so. No, I don't believe it was hampering me from doing my duties once I was back at work until this incident on March 2nd of 2019.

Q Okay. My question I think was just did you continue to experience any discomfort even

1 though you were able to perform your duties or did 2 you not have any discomfort? 3 No, I believe I was fit for duty. Okay. Now you have been having medical 4 5 treatment for your back; is that correct? Yes, sir. 6 Α 7 What were the doctors telling you with respect to your back and any future treatment for 8 9 it? 10 The last physician that I seen, after I 11 went through the rounds of the shots and therapy, 12 he suggested surgery for my lower back. I believe 13 it was -- he was going to put three pins on each 14 side of the injured area. 15 Q He's recommending a fusion surgery at 16 L-5/S-1? 17 Α Yes, sir. 18 Okay. Can you describe for the Board, if Q you would, just currently what your condition is as 19 far as any pain or limitations that you have? 20 21 Α I have consistent aching and pain 22 constantly. I cannot bend down to put socks and 23 shoes on when my socks are without the laces.

kneel down, I need help to get up. It is

24

```
1
     constantly aching. I know there's a problem there
2
     where I am looking to the surgery, that is sometime
 3
     in the future I guess. I am kind of in limbo on
     that, too.
 4
 5
               MR. PINELLI: Thank you, sir.
                                               That is
     all the questions I have.
 6
 7
               CHAIRMAN FORTUNA: Any questions,
     Trustees?
8
9
               MR. PINELLI: Then I would call Doctor
10
     Peters.
11
                         (Witness previously sworn.)
                   MICHAEL I. PETERS, M.D.
12
13
     a witness herein, having been first duly sworn, was
     examined and testified as follows:
14
15
                          EXAMINATION
16
                       BY MR. PINELLI:
17
          Q
               Sir, could you please state your name?
18
          Α
               Michael I. Peters.
               You are a physician; is that correct?
19
          Q
               Yes, it is.
20
          Α
21
               Is a copy of your qualifications as a
          Q
22
     physician attached to the Board Exhibits?
23
          Α
              Yes.
24
          Q Do you perform a function as a consultant
```

1 to this Fund? 2 Yes, I do. Α 3 In that capacity, do you review medical Q 4 records, examine or interview applicants and report to the Board? 5 6 Α Yes. 7 Did you follow that procedure with respect to Mr. Clemens? 8 9 Α Yes, I did. 10 Did you file a written report with the 11 Board that is marked as Board Exhibit 2? 12 Α Yes. 13 Doctor, did you interview Mr. Clemens? 14 I interviewed him by telephone due to the Α 15 Covid-19 emergency. 16 Based upon your interview with him, was 17 the information he provided to you consistent with 18 what you saw in the medical records? 19 Α Yes, it was. 20 Doctor, can you briefly summarize for us 21 what his condition is and his current treatment? 22 Α Yes. Mr. Clemens has worsening of spinal 23 stenosis and neuroforaminal stenosis at L-4/5 and L-5/S-1, which has been documented by two different 24

- 1 MRIs since his initial injury on March 2, 2019.
- 2 His surgeon has advised that he have a fusion at
- 3 both those levels.
- It's my understanding that the only
 reason why he hasn't had the surgery is due to some
- 6 insurance issues.
- 7 Q Doctor, you referenced those two MRIs.
- 8 Was there an indication in the record that -- I
- 9 believe one was in March and then a second one in
- 10 October, that the MRI results indicated that his
- 11 | condition is worsening?
- 12 A That's correct.
- Q Doctor Lim is the surgeon that is
- 14 treating him?
- 15 A Yes.
- 16 Q Did Doctor Lim indicate that in his
- 17 opinion the incident he described was an
- 18 exacerbation of his lower back condition?
- 19 A Yes.
- 20 Doctor, obviously, perhaps maybe not, but
- 21 | I will just ask you, in his current condition would
- 22 he be able to perform his duties with the Fire
- 23 Department?
- 24 A No, he would not.

1	MR. PINELLI: Thank you, that is all the
2	questions I have.
3	CHAIRMAN FORTUNA: Are there any
4	questions for the doctor, Trustees?
5	Hearing none.
6	MEMBER MARTIN: Mr. President, I'd like
7	to make a motion to approve.
8	MEMBER MURPHY: Second.
9	CHAIRMAN FORTUNA: Motion to approve by
10	Trustee Martin. Seconded by Trustee Murphy.
11	Trustee Martin.
12	MEMBER MARTIN: Yes.
13	CHAIRMAN FORTUNA: Trustee Soni.
14	MEMBER SONI: Yes.
15	CHAIRMAN FORTUNA: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes.
18	CHAIRMAN FORTUNA: Trustee McPhillips.
19	MEMBER McPHILLIPS: Yes.
20	CHAIRMAN FORTUNA: Trustee Holt.
21	MEMBER NANCE-HOLT: Yes.
22	CHAIRMAN FORTUNA: Trustee Murphy.
23	MEMBER MURPHY: Yes.
24	CHAIRMAN FORTUNA: And I am a yes.

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1
               MEMBER MARTIN: Mr. President, I make a
2
     motion for reexam.
 3
               MEMBER NANCE-HOLT: Second.
               CHAIRMAN FORTUNA: Motion for reexam by
 4
     Trustee Martin. Seconded by Trustee Holt. All in
 5
     favor?
 6
 7
                    (Chorus of ayes.)
8
               CHAIRMAN FORTUNA: Opposed?
9
               Hearing none, motion carries.
10
               MEMBER MARTIN: Mr. President, motion to
11
     adopt the Findings of Fact of Fund counsel.
12
               MEMBER MURPHY: Second.
13
               CHAIRMAN FORTUNA: Motion by Trustee
14
              Seconded by Trustee Murphy. All in favor?
     Martin.
15
                    (Chorus of ayes.)
16
               CHAIRMAN FORTUNA: Opposed?
17
               Hearing none, motion carries.
18
               Based on the Findings of Fact and
     conclusions of law made by the Trustees, the
19
20
     Trustees have voted to grant you the benefit you
21
     have requested.
22
               You will be notified by mail of the
23
     Findings of Fact and the Board's decision.
24
               Thank you.
```

MR. CLEMENS: Thank you. I appreciate everything that the Board did. Thank you, very much.

MEMBER MARTIN: Andrew Guth would be next.

CHAIRMAN FORTUNA: Do you want to make a motion to go into Executive Session?

MS. BURNS: Before we do that, can I just explain to the people on the phone, the members of the public, what we are going to do.

We are going to go into closed session after this motion. Mark is going to keep everybody off in the waiting room, other than the Trustees and Vince, Lori, Steve and myself. Then we will do the closed session. When we finish, we'll go back on to this phone line and resume the meeting. So if members of the public want to come back into the meeting, they can stay on the call. Mark will then put you back into the meeting.

With that understanding of the procedures that we have to follow in order to preserve the sanctity of the closed session, I would ask that you entertain a motion pursuant to Section 2(c)4 and 2(c)11 of the Open Meetings Act to discuss

1	testimony and possible litigation.
2	CHAIRMAN FORTUNA: Tony, make that
3	motion.
4	MEMBER MARTIN: I make the motion
5	consistent with Fund counsel's recommendation.
6	MEMBER McPHILLIPS: Second.
7	CHAIRMAN FORTUNA: There is a motion by
8	Trustee Martin. Seconded by Trustee McPhillips.
9	Roll call. Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Holt.
19	MEMBER NANCE-HOLT: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	(The Board went into Executive Session
24	off the record. No action was taken

1 in Executive Session.) 2 MEMBER MARTIN: Mr. Guth, are you 3 present? MR. GUTH: Yes, I am. 4 5 MEMBER MARTIN: Let the record reflect, Mr. President, that this is the Disability 6 7 application for Firefighter EMT Andrew R. Guth with 2-7-2. 8 9 Firefighter Guth, on the phone with us is 10 one of the Fund's attorney Vince Pinelli. He will 11 be conducting this hearing. 12 Vince, without anything further, go right 13 ahead. 14 MR. PINELLI: Thank you, Mr. Secretary. 15 Mr. Guth, first of all, before we 16 proceed, I would like to spread of record that you 17 and I had an opportunity to discuss your pending 18 application by telephone a few minutes ago; is that correct? 19 MR. GUTH: Yes. 20 21 MR. PINELLI: After our discussion, did 22 you indicate to me that it was your intent at this 23 time to withdraw your application for a Duty 24 Disability benefit and replace it with an

1 application for an Occupational Disease Disability 2 benefit? 3 MR. GUTH: That is correct. MR. PINELLI: Sir, while we are doing 4 5 this virtually so we can't provide you with that application, you will in fact execute an 6 7 application for an Occupational Disease Disability benefit when it is provided to you by the Fund 8 9 staff; is that correct? 10 MR. GUTH: Correct. 11 MR. PINELLI: So given that set of 12 circumstances is it your desire today to proceed on 13 the application for an Occupational Disease 14 Disability benefit? 15 MR. GUTH: Yes, it is. 16 MR. PINELLI: Prior to that decision, did 17 we discuss the various options that were available 18 to you, including deferring this matter today to a future date to allow you the opportunity to think 19 about it or discuss it with anyone else? 20 21 MR. GUTH: Yes. 22 MR. PINELLI: It is your desire to 23 proceed with the application today for an 24 Occupational Disease disability benefit?

1 MR. GUTH: That is correct. 2 MR. PINELLI: That being said then, at 3 this time I would like to advise you of some preliminary matters. 4 5 There are seven trustees present to hear 6 the evidence on your application. If you don't 7 know you should know you would need the yes vote of at least five of those trustees in order to receive 8 9 this benefit. Do you understand that? 10 MR. GUTH: Yes. 11 MR. PINELLI: Also, you do not have an attorney of record representing you. Is it your 12 13 decision to proceed as we have discussed without an 14 attorney? 15 MR. GUTH: Yes. 16 MR. PINELLI: Lastly, it is the 17 applicant's burden of proof to present sufficient 18 evidence to the Board in order for the Board to grant the benefit that the applicant is seeking. 19 Do you understand it is your burden of proof? 20 21 MR. GUTH: Yes. 22 MR. PINELLI: By way of procedures, I am 23 going to ask you some questions under oath.

board members may or may not have questions of you.

24

```
1
     Then I will call Doctor Samo to testify. If there
2
     is anything I don't ask him that you think is
 3
     important for the Board to know, just let me know
     and you will be given that opportunity. Do you
 4
     understand the procedures?
 5
 6
               MR. GUTH: Yes.
 7
               MR. PINELLI: Then we are ready to
8
     proceed. Could I have the witnesses sworn to
     testify?
 9
10
                    (Mr. Guth and Dr. Samo were
11
                     witness.)
                         ANDREW R. GUTH
12
13
     a witness herein, having been first duly sworn, was
     examined and testified as follows:
14
15
                          EXAMINATION
16
                       BY MR. PINELLI:
17
           Q
               Sir, please state your name for the
18
     record.
19
               Andrew R. Guth.
           Α
20
               What is your rank with the Fire
21
     Department?
22
           Α
               Firefighter EMT.
23
           Q
               What was your last assignment before you
24
     went on layup?
```

1 2-7-2. Α 2 Now prior to today's date, were you Q 3 provided a copy of the Board Exhibits marked 1 through 12? 4 5 Α Yes. 6 Did you have the opportunity to review Q 7 them? 8 Yes. Α So the record is clear, Board Exhibit 1-A 9 Q 10 and 1-B are your application that had been filed 11 for a Duty Disability benefit. But you are withdrawing those on today's date; is that correct? 12 13 That is correct. Α 14 And you will be submitting a revised 15 application for Occupational Disease Disability 16 benefits in place of those exhibits; is that 17 correct? 18 Α That is correct. 19 Now, with respect to the remaining Q 20 Exhibits 2 through 12, do you have any objection to 21 their admission into the record? 22 Α No. 23 MR. PINELLI: Thank you. 24 Mr. Chairman, I would move for admission

```
1
     of Board's Exhibit 2 through 12, without objection
2
     from the applicant.
 3
               CHAIRMAN FORTUNA: Admitted without
 4
     objection.
 5
                (Board Exhibits 2 through 12 were
                admitted into evidence.)
 6
 7
               MR. PINELLI: Thank you.
8
     BY MR. PINELLI:
 9
               Now, Mr. Guth, you are applying for an
           Q
10
     Occupational Disease Disability benefit based upon
11
     a condition that you have that was diagnosed as
12
     coronary artery disease; is that correct?
13
           Α
               Yes.
14
               And you entered service with the Fire
15
     Department in 1997; is that correct?
16
           Α
               That is correct.
17
           Q
               And did you develop that condition while
18
     you have been in service with the Fire Department?
19
               Yes.
           Α
               In other words, you didn't have it when
20
     you came on the Fire Department; is that correct?
21
               That is correct, I did not have it.
22
           Α
23
               Thank you. Now, as a result of that
           Q
24
     condition, you underwent certain medical treatment,
```

```
1
     including an angioplasty; is that correct?
2
               That is correct.
           Α
 3
               And as a result of that procedure, were
           Q
 4
     you undergoing certain follow-up treatments,
     including cardiac rehabilitation?
 5
               That is correct.
 6
           Α
 7
               Have you been able to complete that
     rehabilitation as a result of the Covid-19
8
 9
     condition?
10
               No, not as of yet.
11
               Since you went on layup have you engaged
           Q
12
     in any activity by which you earn income or money?
13
           Α
               No.
14
               MR. PINELLI: Thank you, sir.
                                               That is
15
     all the questions I have at this time.
16
               CHAIRMAN FORTUNA:
                                   Trustees, any
17
     questions? No questions.
18
               Vince, go ahead.
               MR. PINELLI: Hearing no questions, I
19
     would then call Doctor Samo to testify.
20
21
                    (Witness previously sworn.)
22
                       DANIEL SAMO, M.D.
23
     a witness herein, having been first duly sworn, was
     examined and testified as follows:
24
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1	EXAMINATION
2	BY MR. PINELLI:
3	Q Sir, please state your name.
4	A Daniel Samo.
5	Q You are a physician; is that correct?
6	A Yes.
7	Q A copy of your qualifications as a
8	physician are attached to the Board Exhibits?
9	A Yes.
10	Q Do you perform a function as a consultant
11	to this Fund in which you review medical records,
12	examine or interview applicants and report to the
13	Board?
14	A Yes.
15	Q Did you follow that procedure with
16	respect to Mr. Guth?
17	A Yes.
18	Q Did you file a written report with the
19	Board that is marked as Board Exhibit Number 2?
20	A Yes, I did.
21	Q Doctor Samo, could you briefly summarize
22	for us what the record showed with respect to Mr.
23	Guth's condition?
24	A Sure. He had a long history of

hypertension but was doing well until June 25th of 2019. He had the onset of chest pain, shortness of breath and diaphoresis, sweating, while climbing stairs at a fire.

He was taken to the hospital. He was worked up. He had no changes on his cardiogram. His cardiac or heart enzymes were normal but his stress test was abnormal.

It was felt that he did not have a myocardial infarction but rather had exertional angina. He did have a cardiac catheterization, which showed multiple areas of narrowing of his coronary vessels; stenosis. Two of those areas were dilated and he had stents placed. He was doing well afterwards, but still had the reduced aerobic capacity and occasional chest pain with exertion.

He did go to rehab and was doing well for that, but then realized he was still having some chest pain with exertion. He had undergone a stress test the morning that I saw him and he advised me that the test had to be stopped because he had chest pain and shortness of breath.

Later I did get the report of that stress

1 test and it showed that he did have the test 2 stopped at six minutes which is a very short time. 3 It is only about 4 or 5 mets. He would need to get to 12 mets so he was unable to really complete the 4 5 test. Therefore, the results of the test are really not valid. 6 7 He's been told by his doctor that he has 8 some lesions that can't be reached by angioplasty 9 and that he will need to have an open procedure. 10 Doctor, is the angioplasty and stents 11 that he had put in are those medical procedures that are used to treat coronary artery disease? 12 13 Yes, they are. Α 14 Based upon what you just described of his 15 current condition, what he's reported his current 16 symptoms and so forth and his diagnosis and his 17 inability to finish his rehabilitation, do you 18 believe that he would be able to return to his full fire fighting duties? 19 20

A I do not believe he can do firefighter duties.

21

22

23

24

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

CHAIRMAN FORTUNA: Trustees, any

1	questions for Doctor Samo?
2	MEMBER MARTIN: At this time I'd like to
3	make a motion to approve.
4	CHAIRMAN FORTUNA: Motion to grant by
5	Trustee Martin. Is there a second?
6	MEMBER HOLT: Second.
7	CHAIRMAN FORTUNA: Seconded by Trustee
8	Holt.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Holt.
19	MEMBER NANCE-HOLT: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	MEMBER MARTIN: Mr. President, I'd like
24	to make a motion for reexam consistent with the

1 Fund's policy. 2 MEMBER McPHILLIPS: Second. 3 CHAIRMAN FORTUNA: Motion by Trustee Martin for reexam. Seconded by Trustees 4 5 McPhillips. All in favor? (Chorus of ayes.) 6 7 CHAIRMAN FORTUNA: Opposed? 8 Hearing none, motion carries. 9 MS. BURNS: There won't be a motion to 10 adopt the Findings because we will need to prepare 11 those, but we will take care of that at the June 12 meeting. We will circulate proposed Findings to 13 the Trustees and they can sign it and get it back to us either before or at the time of the June 14 15 meeting. CHAIRMAN FORTUNA: Based on the Finding 16 17 of Fact made by about the Trustees, the Trustees 18 have voted to grant you the benefit that you have requested. 19 20 You will be notified by mail of the Findings of Fact and the Board's decision. 21 22 Thank you and good luck. 23 MR. GUTH: Thank you, members. 24 MEMBER MARTIN: Mr. President, I'd like

```
1
     to move on to Item 6, the Approval of Board
2
     Physician Reviews of Disability Recipients.
 3
               I'd like to make a motion to approve the
     Board's Physician recommendations for reviews.
 4
               MEMBER MURPHY: Second.
 5
               CHAIRMAN FORTUNA: There is a
 6
 7
     recommendation and motion by Trustee Martin.
8
     Seconded by Trustee Murphy. All in favor?
 9
                    (Chorus of ayes.)
10
               CHAIRMAN FORTUNA: Opposed?
11
               Hearing none, motion carries.
12
               MEMBER MARTIN: Mr. President, under Item
13
     7, we have Expenditures. I'd like to make a motion
14
     to approve the Administrative Expenses for April,
15
     subject to my recusal of the item discussed in
16
     Executive Session.
17
               MEMBER MURPHY: Second.
18
               CHAIRMAN FORTUNA: Mary Pat, can he make
19
     that motion?
20
               MS. BURNS: He can make the motion.
21
               CHAIRMAN FORTUNA:
                                  There's a motion by
     Martin.
22
              Seconded by Trustee Murphy. All in
23
     favor?
24
               MEMBER SONI:
                             Yes.
```

1	
1	MEMBER CONYEARS-ERVIN: Yes.
2	MEMBER McPHILLIPS: Yes.
3	MEMBER NANCE-HOLT: Yes.
4	MEMBER MURPHY: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	MS. BURNS: The record will reflect one
7	recusal, that being Trustee Martin.
8	CHAIRMAN FORTUNA: Motion carries.
9	MEMBER MARTIN: Under New Business and
10	Old Business. Is there any new or old business?
11	CHAIRMAN FORTUNA: Trustees, any new
12	business?
13	There is no new business.
14	Is there any old business, Trustees?
15	Hearing no old business.
16	MEMBER MCPHILLIPS: Motion to adjourn.
17	MEMBER NANCE-HOLT: Second.
18	CHAIRMAN FORTUNA: Motion to adjourn by
19	Trustee McPhillips. Seconded by Trustee Holt. All
20	in favor?
21	(Chorus of ayes.)
22	CHAIRMAN FORTUNA: Opposed?
23	Hearing none, motion carries.
24	Thank you, very much.

1	
2	(WHICH WERE ALL THE PROCEEDINGS
3	IN THE ABOVE-ENTITLED MEETING
4	AT THIS DATE AND TIME.)
5	
6	
7	
8	
9	
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1	
1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	<u>Debbie Tyrrell</u> Debbie Tyrrell, CSR
18	License No. 084-001078
19	
20	
21	
22	
23	
24	

•	4	52:12 addition [1] - 24:13	Annuities [4] - 6:9, 6:10, 6:20, 6:21	attorney [9] - 15:19, 23:23, 24:14, 24:15,
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-DEBBIE TYRRELL REPORTING SERVICE=

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DEBBIE TYRRELL REPORTING SERVICE

1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1075)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the Zoom meeting of the above-entitled matter, held
12	at 20 South Clark Street, Suite 300, in the City of
13	Chicago, County of Cook, State of Illinois, on
14	Wednesday, June 17, 2020, commencing at the hour of
15	8:30 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

1	APPEARANCES
2	BOARD MEMBERS:
3	DANIEL FORTUNA, President and
4	Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6 7	WILLIAM MURPHY, Active Trustee
8	TIMOTHY McPHILLIPS, Active Trustee
9	MELISSA CONYEARS-ERVIN, City Treasurer
10	ANNA VALENCIA, City Clerk
11	RESHMA SONI, City Comptroller
12	ANNETTE NANCE-HOLT, Active Trustee
13	ATTORNEYS FOR THE BOARD:
14	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS
15	MR. VINCENT PINELLI MS. SARAH A. BOECKMAN
16	ALSO PRESENT:
17	LORI LUND, Deputy Director
18	STEVEN R. SWANSON, Executive Director LORNA SCOTT, Chief Investment Officer
19	JACLYN VLAHOS, Comptroller JOHN CONNESS, Fund Accountant
20	MARK TORRES, IT Systems Analyst DANIEL G. SAMO, M.D., Board Physician MICHAEL I. DEWERS, M.R., Board Physician
21	MICHAEL I. PETERS, M.D., Board Physician
22	ALSO PRESENT:
23	MARK MYSLINSKI, City of Chicago Portfolio Manager
24	nanayer

1	CHAIRMAN FORTUNA: I hereby convene this
2	Board of Trustees meeting for June 17, 2020.
3	Please, call the roll.
4	MR. SWANSON: Trustee Fortuna.
5	CHAIRMAN FORTUNA: Here.
6	MR. SWANSON: Trustee Soni.
7	MEMBER SONI: Here.
8	MR. SWANSON: Trustee Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Here.
10	MR. SWANSON: Trustee Martin.
11	Trustee McPhillips.
12	MEMBER McPHILLIPS: Here.
13	MR. SWANSON: Trustee Holt.
14	MEMBER NANCE-HOLT: Here.
15	MR. SWANSON: Trustee Murphy.
16	MEMBER MURPHY: Here.
17	MR. SWANSON: Trustee Valencia.
18	MEMBER VALENCIA: Here.
19	MR. SWANSON: Mr. Chairman, you have a
20	quorum.
21	CHAIRMAN FORTUNA: In the President's
22	remarks this morning, I'd like to read a statement
23	from the Public Act.
24	A new law was passed, Public Act 101-0640

which allows this meeting to be conducted by video conference. The new Act requires a roll call vote on each matter acted upon. We will take the first roll call and then for the following routine administrative matters I will ask if there is any objection to allowing the prior roll call vote to stand for the motion being considered. If anyone wants to object to any particular motion, they certainly can object and we will reflect that in the minutes. Otherwise all votes will appear as if a roll call was taken on each motion. Are there any objections to this process?

Hearing none, I am going to move on.

And consistent with Public Act 101-0640, for the record, I am physically present at the Fund office with the Executive Director. We are proceeding by video conference because we continue to believe it is prudent to not be physically present in the same space. 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 by the Board, will be made available for public on the Fund's website.

1 Does everyone approve? Okay. We are 2 going to move forward. 3 I am going to ask for any public comments. Do you want to do that, Steve? 4 5 MR. SWANSON: Mark, can we allow anybody on the line from the public be unmuted so they have 6 7 a chance to say anything, if they wish. Anyone from public comment? 8 9 MR. TRACEY: Jim Tracey. I am a Fund 10 participant. I would like to make a comment on one 11 of the applications for Occupational Disability. 12 MR. SWANSON: Mr. Chairman, we have a 13 comment. 14 CHAIRMAN FORTUNA: Could you state the 15 name of the applicant that you are referring to? 16 MR. TRACEY: The applicant is PIC Joseph 17 Davilo from Ambulance 51. 18 He's seeking an Occupational Disease Disability and I would just like to say that after 19 his incident he had no problem coming to Local 2 as 20 the EMS Director four or five days a week and 21 collected over \$30,000 in funds. 22 23 I am strictly speaking on my own behalf 24 as a Fund participant, not as a representative of

1 the Union. 2 I know that Joe is a highly intelligent 3 person and I believe he still has the potential to be a major asset to the City of Chicago and for the 4 5 EMS Division and so I am against him getting a 6 disability. 7 CHAIRMAN FORTUNA: Any other comments? 8 Thank you, Mr. Tracey. 9 We are going to turn to the approval of 10 the Minute items, if you would look. A, Approval 11 of Minutes of Regular Audit Meeting for May 20, 2020. I am going to put this all together so the 12 13 Executive Session Minutes of May 20, 2020 and the 14 Regular Audio Meeting Transcript on May 20, 2020. 15 I am going to need a motion for approval 16 of the Minutes and the transcript. Do I have a 17 motion? 18 MEMBER HOLT: Motion. MEMBER VALENCIA: Seconded by Valencia. 19 CHAIRMAN FORTUNA: Seconded by Trustee 20 21 Valencia. 22 I am going to take a roll call vote. 23 MS. BURNS: Thank you. CHAIRMAN FORTUNA: Trustee Soni. 24

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Holt.
8	MEMBER NANCE-HOLT: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	We are going to move to the Semi-Annual
16	Review of the Executive Session Minutes. Do I need
17	to do that, Mary Pat?
18	MS. BURNS: Yes, sir. Would you like me
19	to read it?
20	CHAIRMAN FORTUNA: Yes, please.
21	MS. BURNS: Pursuant to Section 2.06(c)
22	and (d) of the Open Meetings Act, the Fund on a
23	semi-annual basis reviews the executive session
24	minutes to determine whether the need for

1 confidentiality still exists and whether the 2 verbatim tapes of the executive sessions can be 3 discarded. Due to some internal issues locating the minutes and the COVID-19 situation we are a bit 4 5 behind on this process. Today we are going to try and address this situation and get back on track. 6 7 The motion the president is looking for is there a motion to approve the recommendations of 8 9 counsel as to the review of executive session 10 minutes and the destruction of the executive 11 session tapes as memorialized in the memo from counsel dated June 16, 2020, that is the motion. 12 13 CHAIRMAN FORTUNA: Thank you, Mary Pat. 14 Do I have a motion? MEMBER MURPHY: Motion consistent with 15 16 counsel. 17 CHAIRMAN FORTUNA: Motion by Trustee 18 Murphy. MEMBER NANCE-HOLT: Second. 19 MEMBER MCPHILLIPS: On the question, Dan. 20 21 CHAIRMAN FORTUNA: On the question. 22 MEMBER MCPHILLIPS: Why are we doing this 23 again? Let me backup for just a second. As I am 24 reading this memo dated June 16th, yesterday, on

the very bottom, it says "to be discarded
consistent with the requirements of the Open
Meetings Act". Is this required to destroy these?

MS. BURNS: Every six months, twice a year, you are required to determine whether or not the tapes should be discarded. You don't have to discard the tapes, but the requirement is the Board consider it.

MEMBER MCPHILLIPS: Is there any reason we need to do this? I can't believe there is any cost involved with keeping them in an archive, especially with all the digital information and technology we have nowadays.

MS. BURNS: It's certainly our recommendation as your counsel that once the minutes have been reviewed and approved by the Board and meet the statutory requirements for destruction after 18 months, that it is the best practice to do so but it is entirely up to the Trustees.

MEMBER MCPHILLIPS: Can you elaborate why that is the best practice? My concern is it is a public meeting using public funds and to start destroying information related to that is a little

1 concerning.

MS. BURNS: Again, they are closed session minutes, which should never be heard by the public.

Second, there are minutes prepared and approved by the Board which reflect what occurred at the meeting.

Third, obviously, the law says you should and could do it.

And, fourth, when we get FOIA requests, it takes a lot of time and money and expenditure of public funds to look through all those tapes to be able to produce them when ultimately we would argue there is no basis to produce them anyway because they are confidential discussions. These are not open meetings. These are closed meetings we are talking about.

MEMBER MCPHILLIPS: Okay. Again you're saying the Open Meetings Act says we should do this or we could do this? You just said we should do it.

MS. BURNS: The Open Meetings says you should review it every six months and if the need for confidentiality no longer exists and the tapes

```
1
     are over 18 months old and the minutes have been
 2
     approved, then you can discard them. That is what
 3
     you are considering.
               MEMBER MCPHILLIPS: You, as legal
 4
 5
     counsel, looked through all these and said there is
     no need to keep them open?
 6
 7
               MS. BURNS: Sarah went through them all
     with a recommendation as to open or closed.
8
 9
               MEMBER MCPHILLIPS: Not to keep them
10
     open, it is okay to destroy them.
11
               MS. BURNS: Sarah went through all the
     minutes and knows that there are minutes that
12
13
     correspond to those tapes and that you as a Board
14
     have already approved those minutes which allows
15
     the tapes to be discarded because the minutes are
     the record of the closed session.
16
17
               MEMBER MCPHILLIPS: Right. Sometimes
18
     that translation from the audio to the minutes
     doesn't always tell the whole story.
19
20
               Maybe not so much for the public but for
21
     future trustees they might want to see the history
22
     of what happened on this Board.
23
               CHAIRMAN FORTUNA: There's a motion and a
24
     second. I am going to call the vote.
```

```
1
               MEMBER MCPHILLIPS: Just for the record,
2
     I would like to state there is really no cost to
 3
     maintaining these to the Fund whatsoever. It is a
     public meeting. Some of them are executive
 4
     session. This Board is supported by public funds.
 5
     I don't think there is any need to destroy them.
 6
 7
               You can vote. I want to be on the record
8
     I, as a Trustee, do not support destroying what I
9
     consider public records.
10
               CHAIRMAN FORTUNA: Okay.
               MEMBER MCPHILLIPS: That is all.
11
12
               CHAIRMAN FORTUNA: There is a motion and
13
     a second.
14
               Trustee Soni.
15
               MEMBER SONI: Yes.
16
               CHAIRMAN FORTUNA: Trustee
17
     Conyears-Ervin.
18
               MEMBER CONYEARS-ERVIN: I am going to
     rely on the consultation of the Fund's attorney,
19
20
     yes.
21
               CHAIRMAN FORTUNA: Trustee McPhillips.
22
               MEMBER McPHILLIPS: No.
23
               CHAIRMAN FORTUNA: Trustee Holt.
               MEMBER NANCE-HOLT: Yes.
24
```

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	Motion carries.
7	We are moving to B, Minimum Formula
8	Annuities. Do we want to read the whole thing?
9	MS. BURNS: No, just a motion to approve.
10	CHAIRMAN FORTUNA: Do we have a motion?
11	MS. BURNS: Do you want me to do that?
12	In light of Trustee Martin's absence, is
13	there a motion to grant the Retirement Annuities,
14	Item B, from Member 14027 to 10948?
15	MEMBER MCPHILLIPS: I will make that
16	motion.
17	MEMBER MURPHY: Second.
18	CHAIRMAN FORTUNA: Motion by Trustee
19	McPhillips. Seconded by Trustee Murphy.
20	Trustee Soni.
21	MEMBER SONI: Yes.
22	CHAIRMAN FORTUNA: Trustee
23	Conyears-Ervin.
24	MEMBER CONYEARS-ERVIN: Yes.

1	CHAIRMAN FORTUNA: Trustee McPhillips.
2	MEMBER McPHILLIPS: Yes.
3	CHAIRMAN FORTUNA: Trustee Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee Murphy.
6	MEMBER MURPHY: Yes.
7	CHAIRMAN FORTUNA: Trustee Valencia.
8	MEMBER VALENCIA: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MS. BURNS: The next item is the transfer
12	of service credit and contributions pursuant to
13	Section 6-230. That is going to be deferred, the
14	actuaries are still working on some information for
15	the Trustees.
16	MR. SWANSON: We were able to put that
17	out there.
18	MS. BURNS: Were Trustees able to review
19	that information with respect to Alderman Sposato?
20	There are two issues. The issue with
21	respect to whether or not you are going to charge
22	Alderman Sposato 4 percent interest or 5 percent
23	interest, right?
24	MR. SWANSON: There are three different

1 options available. 2 Mark, if you want to share the board 3 packet, we can probably show everyone what it looks like in there. 4 5 MR. SWANSON: It should be under 2-B in 6 Board packet. 7 MS. LUND: It is the Options 1, 2 and 3, those three items. 8 9 MR. SWANSON: Those are the three options 10 put together. Just get to this last page, it will 11 show it. 12 This is the option where we looked at, 13 based on actually Fund's counsel's recommendation, is looking at how a transfer in the past between 14 15 Municipal and the Fire Fund which was done for the 16 paramedics was calculated. 17 It shows a total amount due to the Fund 18 from Municipal of \$148,000. The amount actually received from the Municipal was actually \$218,000. 19 We received an amount in excess this for this 20 21 option. 22 We bring these options to the Trustees 23 because the law doesn't specify how this was to be

calculated. It just says the employer/employee

24

1 contributions were to come to the Firemen's Fund. 2 So, Mark, if you want to go to Option 3 Number 2. The actual rate of Return, which sometimes has been done as well. Specifically in 4 5 cases of litigation, such like the Lewis case where a service credit was given. This is how it was 6 7 calculated. If you can go to the last page, Mark. 8 9 MS. BURNS: That is a higher amount. 10 MR. SWANSON: Correct. 11 MS. BURNS: Let's backup for a second. Alderman Sposato, under Section 6-230, 12 13 has the right to purchase credit, transfer his 14 credit, from the Municipal system into this 15 Firemen's Fund system. 16 What the statute says is that he can do 17 that. What the statute doesn't say is when you 18 accept the money from Alderman Sposato at what rate do you accept it at? 19 20 We recommend as your counsel that you accept 4 percent interest on his contributions as 21 22 if he had always been a member of this fund. use the 4 percent because that is what the 23

legislature imposed when the paramedics transferred

24

```
1
     their service over from the Municipal Fund to the
2
     Firemen's Fund. In our mind that was the most
 3
     analogous situation.
               The other option, as Steve was walking
 4
 5
     you through the second option, is to charge Mr.
     Sposato for the actual rate of return that was
 6
 7
     earned during the period of time that he was a
     member in Municipal, which was eight years he's
8
 9
     been in Municipal or how many years.
10
               MR. SWANSON: Yes, from 2011.
11
               MS. BURNS: Since 2011; as if you always
12
     had the money and you had invested it, even though
13
     that money has been increased while it was at the
14
     Municipal Fund. It is your actual rate of return.
15
               In that case you can see he would owe us
16
     204,000 and we will be receiving 218,000 from
17
     Municipal. Again, we are still ahead but not as
18
     much as if we do it at the 4 percent.
               MR. SWANSON: That is using the Fund's
19
     assumed rate of return.
20
21
               MS. BURNS: That uses the Fund's assume
22
     rate of return which since 2011 has changed.
```

So, Mark, if you could go to that third

23

24

bucket.

Now, again, the statute says that you have to accept these contributions from the alderman and again Alderman Sposato has made that request and the Municipal Fund has now transferred \$218,000 to this fund to recognize that request by Alderman Sposato consistent with the law.

You, as the Trustees, have the ultimate jurisdictional authority to make all decisions with respect to how to interpret the Pension Code. What we recommend is 4 percent. What Michelle from the Fund recommends is the actual rate of return or third option you can use the assumed rate of return or third option.

We don't care. If you look at all three of those options, you will see that we're getting more money from Municipal then actually we need under any of those scenarios.

We think the 4 percent is more consistent from a legal logical standpoint but we are comfortable with whatever you pick. But you have to know that if this were to happen in the future and some other participant by an alderman or member of City Council wanted to come over and join the Fund, and there are a few of those, that you would

be locked into using the same rate that you decide to use with Alderman Sposato so that everybody is treated the same.

That is sort of the issue here before you. Unfortunately, I don't think we got the numbers until 4 o'clock or 4:30 yesterday afternoon.

You can defer this or because Alderman

Sposato keeps paying interest it would be nice if

the Board could make the decision today. Those are

the options for the Board. There is no right way

to do this. This is kind of a case of first

impression.

Again, you have our thinking and Sarah's recommendation after looking at it and going back historically and looking at how paramedics were treated and that is at 4 percent rate of interest.

4 percent versus the actual rate of return versus the assumed rate of return.

MEMBER CONYEARS-ERVIN: What are the three options?

MR. SWANSON: The three options are, one, that we mimic the process that was used to transfer the paramedics from the Municipal Fund in the past

```
1
     and that is where specific legislation written that
2
     Mary Pat mentioned and that is recommended by Fund
 3
     counsel.
               MEMBER CONYEARS-ERVIN:
                                       That is 4
 4
 5
     percent.
               MR. SWANSON: 4 percent.
 6
 7
               MS. BURNS: That is Option 1 in your
     portal.
8
 9
               MEMBER CONYEARS-ERVIN: Go ahead, Steve.
               MR. SWANSON: Option 2 is where we use
10
11
     the actual rate of return.
12
               MEMBER CONYEARS-ERVIN: What is that
13
     percentage?
14
               MR. SWANSON: It varies year to year.
     is the actual rate of return.
15
16
               MS. BURNS: I believe that option has
17
     been used when there's been litigation. There was
18
     no litigation in this matter.
19
               MEMBER MCPHILLIPS: What is the blended
20
     rate? What does it come to over the period of time
21
     we are talking about?
               MS. BURNS: 2011 to 2020.
22
23
               MEMBER CONYEARS-ERVIN: In the first
24
     option, can mark go back to the first option?
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```
1
     Thank you, mark. So that is he is owed a little
2
     over $69,000 dollars with percent.
 3
               MS. BURNS: No.
               MR. SWANSON: Let counsel clarify on that
 4
 5
     point.
 6
               MS. BURNS: What happens on this is we
 7
     have gotten $218,464 from the Municipal Fund. Mr.
8
     Sposato would owe us $149,411. He would have a
 9
     credit in his account for $69,053. If he died
     tomorrow, God forbid, that is what we would give
10
11
     back to his widow. If he lives a year or two, he
12
     will have used up that contribution amount and get
13
     nothing back. It's just the credit that gets
14
     posted to his account.
15
               MEMBER CONYEARS-ERVIN: So Option 2 can I
16
     look at that real quick? Okay. Option 2 you said
17
     is the annual return?
18
               MS. BURNS: Number 2 is the actual rate
     of return over the nine or ten year period.
19
               MR. SWANSON: 7.2 percent.
20
21
               MEMBER CONYEARS-ERVIN: That is what I
22
     was trying to get at. And Option 3?
23
               MS. BURNS: Option 3 is the actual
24
     assumed rate of return, which has changed overtime
```

1 but averages at 7.84 percent or 6.4. 2 MEMBER CONYEARS-ERVIN: There is 3 precedent for Option 1? MR. SWANSON: Yes. 4 5 MS. BURNS: Statutory precedent, that is 6 why we are recommending it. 7 Option 2 is what was used when there is litigation. Courts have looked at it and they say 8 use the actual rate of the return. 9 10 Option 3 is probably no precedent for it 11 but you can do whatever you think is prudent. 12 In all cases, again from the standpoint 13 of you trustee, you should know you are getting 14 more money from the Municipal Fund than the normal 15 cost of this benefit, at least as calculated by the 16 actuaries as of today. 17 MEMBER MCPHILLIPS: Can I ask a quick 18 question so I understand the framework of this? Regardless of the options we choose, we 19 20 are not going to be getting any more or less money 21 from the Municipal Fund. 22 MS. BURNS: That is exactly right, sir. 23 MEMBER MCPHILLIPS: The option we choose 24 will determine as I believe you stated the credit

```
1
     that will be provided to the member.
2
               MS. BURNS: That's correct, sir.
 3
               MEMBER MCPHILLIPS: The only reason we
     may lose out on money, by saying "we" I mean the
 4
     Pension Fund, would be the unfortunate circumstance
 5
     that this member were to pass away sooner than
 6
 7
     before he used up all the funds allocated to his
8
     account?
9
               MS. BURNS: That is correct, sir.
               MEMBER MCPHILLIPS: Your recommendation
10
11
     is Option 1?
12
               MS. BURNS: That's correct.
13
               MEMBER MCPHILLIPS: I would like to make
14
     a motion to adopt Option 1 as recommended by Fund
15
     counsel.
               MEMBER MURPHY: Second.
16
17
               CHAIRMAN FORTUNA: Motion by Trustee
18
     McPhillips. Seconded by Trustee Murphy.
19
               Trustee Soni.
20
               MEMBER SONI: Yes.
21
               CHAIRMAN FORTUNA: Trustee
22
     Conyears-Ervin.
23
               MEMBER CONYEARS-ERVIN: Yes.
24
               CHAIRMAN FORTUNA: Trustee McPhillips.
```

1	MEMBER McPHILLIPS: Yes.
2	CHAIRMAN FORTUNA: Trustee Holt.
3	MEMBER NANCE-HOLT: Yes.
4	CHAIRMAN FORTUNA: Trustee Murphy.
5	MEMBER MURPHY: Yes.
6	CHAIRMAN FORTUNA: Trustee Valencia.
7	MEMBER VALENCIA: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	Motion carries.
10	MS. BURNS: Turning to Survivor's
11	Annuities, you need a motion to approve the
12	Survivor's Annuities for Members 11912 through
13	13473.
14	MEMBER MCPHILLIPS: I make that motion.
15	MEMBER SONI: Second.
16	CHAIRMAN FORTUNA: Motion by Trustee
17	McPhillips. Seconded by Trustee Soni.
18	Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee
21	Conyears-Ervin.
22	MEMBER CONYEARS-ERVIN: Yes.
23	CHAIRMAN FORTUNA: Trustee McPhillips.
24	MEMBER McPHILLIPS: Yes.

1	CHAIRMAN FORTUNA: Trustee Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee Murphy.
4	MEMBER MURPHY: Yes.
5	CHAIRMAN FORTUNA: Trustee Valencia.
6	MEMBER VALENCIA: Yes.
7	CHAIRMAN FORTUNA: And I am a yes.
8	Motion carries.
9	MS. BURNS: Turning to Refunds, there are
10	none.
11	The next is Item E, Death Benefits. You
12	need a motion to approve the Death Benefits for
13	Members 11912 through 07937.
14	CHAIRMAN FORTUNA: Is there a motion?
15	MEMBER MCPHILLIPS: I am make the motion.
16	MEMBER MURPHY: Second.
17	CHAIRMAN FORTUNA: Motion by Trustee
18	McPhillips. Seconded by Trustee Murphy. All in
19	favor?
20	(Chorus of ayes.)
21	CHAIRMAN FORTUNA: Opposed?
22	Hearing none, motion carries.
23	MS. BURNS: Again that will be reflected
24	as a roll call vote, unless any trustee wants to

1	object.
2	Next is Partial Payments. You need a
3	motion to approve the partial payments for Members
4	08814 through 09854.
5	MEMBER MCPHILLIPS: I make the motion.
6	MEMBER NANCE-HOLT: Second.
7	CHAIRMAN FORTUNA: Motion by Trustee
8	McPhillips. Seconded by Trustee Holt.
9	All in favor?
10	(Chorus of ayes.)
11	CHAIRMAN FORTUNA: Opposed?
12	Hearing none, motion carries.
13	MS. BURNS: Next is Benefit
14	Recalculations and we have two sets of those. We
15	have Refunds and Errors in Deductions. We need a
16	motion to approve those which is for Members 15230
17	through 12603. We have Collect Errors in
18	Deductions for Member 16369 through 15617. You
19	need a motion to approve those.
20	MEMBER VALENCIA: Motion.
21	MEMBER MURPHY: Second.
22	CHAIRMAN FORTUNA: Motion by Trustee
23	Valencia. Seconded by Trustee Murphy.
24	All in favor?

1	(Chorus of ayes.)
2	CHAIRMAN FORTUNA: Opposed?
3	Hearing none, motion carries.
4	MS. BURNS: Turning to the Request for
5	Permission. There are a few different ones. One
6	is a motion for Request for Guardianship for Member
7	Raymond Bronke. Staff has represented that all
8	paperwork is on file, that paperwork has been
9	reviewed by counsel. Is there a motion to approve
10	the guardianship for the member?
11	MEMBER MURPHY: Motion.
12	MEMBER NANCE-HOLT: Second.
13	CHAIRMAN FORTUNA: Motion by Trustee
14	Murphy. Seconded by Trustee Holt.
15	All in favor?
16	(Chorus of ayes.)
17	CHAIRMAN FORTUNA: Opposed?
18	Hearing none, motion carries.
19	MS. BURNS: One request for 14826 to
20	reside out of state. This member went on Duty
21	Disability on May 1, 2019. Is there a motion to
22	approve the request to reside out of state.
23	MEMBER MURPHY: Motion.
24	MEMBER McPHILLIPS: Second.

```
1
               CHAIRMAN FORTUNA: Motion by Trustee
2
              Seconded by Trustee McPhillips.
     Murphy.
               All in favor?
 3
                    (Chorus of ayes.)
 4
 5
               CHAIRMAN FORTUNA: Opposed?
               Hearing none, motion carries.
 6
 7
               MS. BURNS: Turning to Removals, you need
8
     a motion for the Removals starting with Member
     Robert J. Gill and ending with Patrick M.
9
10
     Fitzpatrick. Is there a motion?
11
               MEMBER MURPHY: Motion.
12
               MEMBER VALENCIA: Second.
13
               CHAIRMAN FORTUNA: Motion by Trustee
14
     Murphy. Second by Trustee Valencia.
               All in favor?
15
16
                    (Chorus of ayes.)
17
               CHAIRMAN FORTUNA: Opposed?
18
               Hearing none, motion carries.
19
               MS. BURNS: Turning to Item 3, Payments
20
     Pursuant to Administrative and Court Orders, on
21
     Page 8 of the docket. There is a QILDRO for Member
22
     014027. You need a motion to approve that order
23
     and that request.
24
               MEMBER McPHILLIPS: Motion.
```

1	MEMBER CONYEARS-ERVIN: Second.
2	CHAIRMAN FORTUNA: Motion by Trustee
3	McPhillips. Seconded by Trustee Conyears-Ervin.
4	All in favor?
5	(Chorus of ayes.)
6	CHAIRMAN FORTUNA: Opposed?
7	Hearing none, motion carries.
8	MS. BURNS: I think you're ready to turn
9	to the Investment matters. The first matter for
10	consideration is approval of the Minutes for the
11	May 18th Investment Committee Meeting, including
12	the executive session minutes related to that
13	meeting, with the recommendation that the minutes
14	remain closed. Is there a motion?
15	MEMBER NANCE-HOLT: Motion.
16	MEMBER McPHILLIPS: Second.
17	CHAIRMAN FORTUNA: Motion by Trustee
18	Holt. Seconded by Trustee McPhillips.
19	All in favor?
20	(Chorus of ayes.)
21	CHAIRMAN FORTUNA: Opposed?
22	Hearing none, motion carries.
23	We can go into the Investment report.
24	Lorna, will you walk us through the Investment

1 Agenda, please.

MS. SCOTT: I sure will. Given the full Agenda, first a quick update on where we stand with our new investments.

So we completed legal contracts with JP

Morgan and WTax. Contracts are underway with Adams

Street, Pomona, Brown and Highclere.

Madam Treasurer asked for a review of the roles of commodities in a world where there is very little inflation, that discussion will happen at next month's board meeting. I wanted to put that one out there.

Looking at performance, one month

performance for May for various asset classes, a

very strong month. Investors are hopeful with the

economy reopening and development of a vaccine.

Looking at the last part of the chart, we have seen that U.S. stocks outperformed. Small cap did better than large cap. Growth outperformed value. Non-U.S markets developed markets outperformed emerging markets.

The next slide is the markets year to-date period through May 31st. Year-to-date most asset classes are still negative as April and May's

rebound were not enough to correct for the

year-to-date losses. Small cap is down 15.9

percent which trailed behind growth, which actually

recovered all of its losses and is positive for the

year. And then, actually, small cap is down versus

large cap and then growth is up for the year versus

value stocks which were down for the year.

So the Fund has invested both in small cap and value and these compared us to the policy benchmark.

The next slide shows that performance versus the policy target. For the month, again it was a very good month, the Fund was up 4.1 ahead of the policy target which was up 3.0 percent. Year-to-date the Fund is still down, down negative 8.3 percent, and behind the policy target by about 3 percent. Policy target was down 5.4 percent.

Let's look closer at that policy
performance. On the next slide, for May, we did
outperform by 1.1 percent, you can see in the light
violet chart. Most of that outperformance can be
attributed to manager's style selection right there
in the middle. Particularly in U.S. equity
managers like Jackson Square, our growth manager,

1 way outperformed its benchmark and Neuberger 2 Berman, a value manager, outperformed its 3 benchmark. The next slide digs into the year-to-date 4 5 performance underperforming by 6 3 percent. Looking at those last three columns, 7 most of that underperformance, that minus 2.2 percent of it, is coming from manager style 8 9 selection. 10 MEMBER CONYEARS-ERVIN: Lorna, in this year-to-date, it says minus 3 percent. I thought 11 we were minus 8 percent? 12 13 MS. SCOTT: This is the relative 14 performance. We underperformed the policy 15 benchmark. 16 You can see the minus 8.3 percent the 17 Fund returned. In that third column, the policy 18 return was 5.4 percent and this chart is explaining why we underperformed. 19 20 Most of the added performance is in that selection. Most of that negative is from U.S. 21 22 equity, that is where our investments in values 23 have hurt us. You see it also in fixed income, 24 that is where our investments in Loomis and Western

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1
     have hurt us. Also in the liquid diversifying
 2
     area. We will be looking for all of these areas to
 3
     recover.
               The next couple of slides provide
 4
 5
     additional return data for your reference. I am
 6
     going to skip these and go right into cash needs
 7
     and rebalancing.
8
               MEMBER CONYEARS-ERVIN: Lorna, can I ask
 9
     a question? You brought up a good point about
10
     we're looking to recover.
11
               I guess what I am trying to figure out is
12
     when we look at relative to the benchmark, you're
13
     saying that our performance was minus 8.3 and the
14
     benchmark was minus 3?
15
               MS. SCOTT: The benchmark was minus 5.4.
16
               MEMBER CONYEARS-ERVIN: So I understand
17
     it was all a really trying time, but I am trying to
18
     figure why was our performance so much lower than
     the benchmark, though?
19
20
               MS. SCOTT: Right. That is why I was
     making a big point about the market and looking at
21
     value and value stocks versus diverse stocks.
22
23
               Year-to-date value stocks are down 16
```

percent but growth stocks are up 4.5 percent.

24

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1
     Russell is at minus 5.6 percent. Our benchmark is
2
     negative 5.6 percent, but just being in value
 3
     stocks puts us down at negative 16.4 percent.
 4
     Being invested in value hurt us in this short time
 5
     period.
 6
               MEMBER CONYEARS-ERVIN: Which one is that
 7
     that you are referring to?
8
               MS. SCOTT: U.S. equity. You can see our
9
     final return is negative 7.6 versus policy return
10
     which was negative 5.6.
11
               MEMBER CONYEARS-ERVIN: And we have 33.9
     allocation in there?
12
13
               MS. SCOTT: Correct, that is a large part
14
     of it. Investing in value and small cap hurt us
15
     there.
16
               MEMBER CONYEARS-ERVIN: Hopefully, once
17
     as the market is recovering and we cross our
18
     fingers --
               MS. SCOTT: Value stocks have been way,
19
20
     way beaten up. At this point in time there is a
21
     lot of press out there that says that value is way,
22
     way undervalued and it should absolutely come back
23
     and overtime value stocks typically do outperform.
24
               MEMBER CONYEARS-ERVIN: Alright. Thanks.
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MS. SCOTT: Moving over to the cash needs.

MS. VLAHOS: For cash needs, as of June 12th, we currently have a balance of 4.6 million dollars in our Chase account as well as in our Fidelity accounts. We are expecting an additional 1.7 million dollars in salary contributions to give us a total available current cash of approximately 6.4 million dollars.

Throughout the month, at the end of June, we are going to pay 30 million dollars in benefits. We also have our outstanding checks. Coming to a total of anticipated expenditures of 31.4 million dollars.

With our cash balance of 6.4 and to subtract out the 31.4 million dollars in benefit payments, we're going to be making for June, it will leave us at June 30th with a deficit of approximately 25.1 million dollars.

Next page, please. We do have enough cash in the STIF account from Northern Trust to cover this. Luckily we won't have to sell anything this month. We are going to do a transfer from the STIF account.

The one thing we want to go over a little bit is for this cash flow projection. As you can see towards the right-hand side, we are suggesting 25.3 million dollars from the STIF account to go into Chase, which will leave us approximately a \$200,000 balance in our Chase account after our benefit payments are paid.

I know Steve has talked a little bit with the City. We still do currently show in July and August anticipated tax receipts. If you look to the left column of average tax receipts, we show in July 32.3 million approximately of tax receipts to be received as well as in August approximately 56.4.

So with those two months together, we're looking at approximately 90 million dollars, that we are anticipating in tax receipts.

I believe with our discussions, and you can correct me if I am wrong, that the tax receipt bills have not gone out yet? Is that true or not true, Reshma?

MEMBER SONI: That is true. The bills are going to be going out on time with an August 1st date. The nuance is that the August 1st will

1 be a due date, but there is a 60-day grace period 2 without penalty. 3 So the thought is that many people have escrows. Hopefully, we would see the cash flow 4 5 coming through. There are some that would be more of commercial real estate property. We might see a 6 7 little bit of lag on the residential side. Currently we are estimating about average 8 9 collection. 10 MS. VLAHOS: You are not anticipating for 11 like commercial, with businesses, any kind of a 12 significant decrease? 13 MEMBER SONI: We are not with businesses. 14 It would be for the residential. The businesses 15 are the ones that have the larger amount. 16 As we are getting more information about 17 this economy and how things are working out and 18 getting more guidance from the County, we are just assuming that the collections will come in pretty 19 20 much as anticipated before all of these changes 21 occur. 22 If there are any changes, I will let you 23 know, Jackie. 24 MS. VLAHOS: Okay. Basically, with that,

if things stay the way they have been in the past, we're not looking for a significant withdrawal until fall. However, obviously, we have to keep in mind if something does change, I know this is like a new time for us, you're looking at approximately 90 million dollars we are anticipating between July and August. However, there is an extension for people's due dates. I guess we are going to have to look at it as it comes in. But if it does happen, we are going to have to draw down on our investments and we will not have money in the STIF account to cover it so we will have to sell investments in July and August to cover these payments, if we don't receive tax receipts or if we don't receive the amount that we would have historically anticipate receiving. MEMBER SONI: The due date will stay the

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MEMBER SONI: The due date will stay the same. It is the grace period. So the difference being that we do expect people to pay out August 1st. It is those who need a grace period will get a grace period.

MS. VLAHOS: Okay.

MS. SCOTT: Looking at the rebalancing template.

1 MEMBER MCPHILLIPS: Can I interrupt you 2 for a second? Can you go back to the cash flow? 3 Jackie, on the payroll contributions column, I see in June it is \$1700 and then in July 4 5 and going forward it is \$3700 dollars. I suspect that it's just because there 6 7 one less payroll in June that you are reflecting, correct? 8 9 MS. VLAHOS: Yes, exactly. We look at 10 it, obviously, as to how much we received because 11 obviously this is just an estimate of what we receive. Yes, in June, we already received one. 12 13 When we look at it, sometimes we will 14 update that month. 15 MEMBER MCPHILLIPS: Okay, that makes 16 sense. Benefit payments. This month, again, that 17 is just the exact amount it is going to be for 18 June. MS. VLAHOS: Yes, exactly. There is 19 20 other things that sometimes go into that basically, 21 besides just the benefit payment. We are kind of 22 estimating what refunds are going to be, what Death 23 Benefits are going to be, versus the actual. 24 MEMBER MCPHILLIPS: Same with admin

expenses. I looked at the admin expenses. It
looks like there was a lot of big kind of accruals
that were made for professional services, that is
why it is \$95,000 higher in June as opposed to the
rest.

MS. VLAHOS: Yes. Admin expenses also would incorporate other -- like outstanding checks as well. Sometimes we always hope some of the outstanding checks are going to clear.

MEMBER MCPHILLIPS: That variance I believe is explained by some outstanding professional services, if I am not mistaken. I think there were about \$80,000 in professional services that were accrued.

MS. VLAHOS: Yes. For Doctor Samo, when I did my yearend, I realized that basically we had not received a bill for him. So we requested a bill for the four quarters, plus his current quarter, and that was just paid currently.

MEMBER MCPHILLIPS: So for the remainder of the year we are going to be short about 85, 86 million dollars. And we have right now, correct me, Lorna, about 802 million dollars in investments? So we have to earn a little over 10,

1 maybe 11 percent, to remain afloat? 2 MS. SCOTT: Sounds right. 3 MEMBER MCPHILLIPS: Alright. MS. SCOTT: Let's take a look at the 4 5 rebalancing template. This looks at the asset allocation as well. 6 7 The first column shows our allocation as 8 of June 12th. This is everything that is at 9 Northern Trust. At the very bottom of the column, you can see cash at 33 million. Callan needs 25.3 10 11 million. Looking at the second column in yellow, we transferred 25.3 from Northern to Chase and that 12 13 leaves us with 7.7 million in cash. 14 Looking at the last column, the variance, 15 that shows the difference of where we are versus 16 the policy target after the cash withdrawal. 17 Looking at our asset allocation we remain 18 very close to the target. So we are under allocated in private equity but we have outstanding 19 20 contracts there. And that is offset by allocations 21 to fixed income in cash. The cash as we know is 22 temporary. 23 Generally, as of the end of June we will 24 be very close to target.

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1
               With that I conclude the Investment
2
     Report.
 3
               MEMBER MCPHILLIPS: Motion to accept.
               MEMBER MURPHY: Second.
 4
               CHAIRMAN FORTUNA: All in favor?
 5
                   (Chorus of ayes.)
 6
 7
               CHAIRMAN FORTUNA: Opposed?
8
               Hearing none, motion carries.
9
               MS. BURNS: Lorna, did you have any
10
     motions coming out of your Investment Report?
11
               MS. SCOTT: Just the approval of the
12
     minutes.
13
               CHAIRMAN FORTUNA: Let's move into the
14
                        MS. BURNS: Let the record
     hearings.
15
     reflect this is the hearing on the Occupational
16
     Disease Disability application of Joseph H. Davilo,
17
     Paramedic in Charge, Ambulance 51.
18
                        Mr. Davilo, are you on the
     phone?
19
20
               MR. DAVILO: Yes.
21
               MS. BURNS: Thank you, sir. Good
22
     morning. Is your counsel on the phone?
23
               MR. MARCONI: Yes, I am. For the record,
24
     this is Jerry Marconi. Good morning to everybody.
```

1 MS. BURNS: Thank you, Mr. Marconi. 2 So you both are aware this meeting is 3 being recorded according with the Governor's directive. 4 5 So, Vince, if you are ready to proceed, we can proceed. 6 7 MR. PINELLI: Thank you. As you have indicated, this is the hearing of Joseph Davilo for 8 9 Occupational Disease Disability benefits. He is 10 represented by counsel who has identified himself for the record. 11 12 I believe, please correct me if I am wrong, there are seven trustees participating or 13 14 able to hear the evidence on this matter. 15 With that, counsel, before we start 16 evidence, I would ask you if you have any objection 17 to the admission of Board Exhibits 1 through 14, 18 which were previously distributed to you and to Mr. Davilo. 19 MR. MARCONI: I do not have any objection 20 to the admission of all these documents. 21 22 MR. PINELLI: Thank you. 23 Mr. Chairman, I would move for admission 24 of Board Exhibits 1 through 14, without objection

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1
     from the applicant.
 2
               CHAIRMAN FORTUNA: Admitted without
 3
     objection.
                (Board Exhibits 1 through 14 were
 4
 5
                admitted into evidence.)
               MR. PINELLI: Thank you. We are ready to
 6
 7
     proceed.
               Before we do that, counsel, do you intend
8
9
     to call any witnesses?
10
               MR. MARCONI: Yes. What I am going to
11
     do, just so the Board knows, I am going to call two
12
     witnesses pretty much for the sole purpose of
13
     testifying about some of the limitations that Mr.
14
     Davilo has.
15
               I will try to be as brief as possible
16
     given the fact we are doing this remotely.
17
               MR. PINELLI: Counsel, do you intend to
18
     call them first before Mr. Davilo or are you going
     to call Mr. Davilo first?
19
20
               MR. MARCONI: Whatever the pleasure of
     the Board is. I was thinking I can call Mr. Davilo
21
     first since most of I think the medical information
22
23
     is in the exhibits. I can just go through with him
24
     a brief history, what he did in the Department and
```

1	then just his limitations to-date.
2	MR. PINELLI: That is our normal
3	procedure for the applicant to go first so that is
4	consistent with our procedure. I would suggest
5	then you're ready to move forward.
6	Can I have Mr. Davila and Doctor Peters
7	sworn to testify, please?
8	(Joseph Davila and Michael Peters, M.D.
9	were sworn to testify.)
10	MR. PINELLI: We are ready to proceed,
11	counsel. Since the applicant has the burden of
12	proof, you may proceed with questioning of Mr.
13	Davilo.
14	MR. MARCONI: Thank you.
15	JOSEPH H. DAVILO
16	a witness herein, having been first duly sworn, was
17	examined and testified as follows:
18	EXAMINATION
19	BY MR. MARCONI:
20	Q Mr. Davilo, you have already been sworn.
21	I am just going to ask you a couple of preliminary
22	questions.
23	You did receive the Board's packet
24	containing your application as well as all your

1 medical information; is that correct? 2 Α Yes. 3 And it's my understanding, and I am Q looking at the packet, you did submit an 4 application for an Occupational Disability; is that 5 correct? 6 7 Α Yes. And that stems from an incident that 8 Q 9 occurred on August 2, 2018 where according to your 10 affidavit you suffered a Type I stroke and subarachnoid brain bleed; is that correct? 11 12 Α Yes. 13 In your application it indicates that I 14 believe -- or maybe it is not in your application. 15 This is when you were off duty; is that correct? 16 Α Yes. 17 Where were you when you experienced this 18 I will call it an injury or this condition? I was traveling at the time to Seattle, 19 Washington and was in the State of North Dakota 20 21 when the symptoms -- when the onset of symptoms 22 began where I began to have this really severe 23 headache.

And then I -- we were staying the night

```
1
     in a town called Glendive, Montana, where I finally
2
     went into the ER in Glendive with the worse
     headache that I ever had.
 3
               So Glendive, Montana, is where the
 4
 5
     diagnosis of the subarachnoid bleed or the stroke
     had been made.
 6
 7
               Were you heading to Seattle on vacation,
8
     business?
9
               Well, it was Union business. The IAFF
           Α
10
     was having their national convention there so my
     wife and I had decided to drive there rather than
11
12
     fly.
13
               Now I know we're going to call your wife
           Q
14
     briefly during the hearing, but does your wife have
15
     a medical background?
16
           Α
               She does.
17
           Q
               What does she do?
18
               She's a Registered Nurse of over 30
19
     years.
20
               She works at Christ Hospital in Oak Lawn;
21
     is that correct?
22
           Α
               Yes.
23
           Q
               Now given the fact you had this severe
24
     headache, where is the first place that you went?
```

- 1 A To seek treatment for that headache?
- 2 Q Yes.
- 3 A The Glendive Hospital ER.
- Q What type of treatment did you receive in the ER? Was it just diagnostic?
- A Yes. They gave me a CAT scan at that hospital.
 - Q Now it's my understanding from reading the medical records that that CAT scan revealed you had a subarachnoid bleed in your brain; is that correct?
- 12 A Yes.

- Q Were they able to treat you in Montana?
 - A No. If I could expand on that, the closest neurocenter where they actually read the CAT scan results was in Billings, Montana, which was over 300 miles away. And they came back, they read the report, they said he's got a bleed. We can not handle him. We don't have the ability here. He's got to be flown to a Level I neurological center and the closest one to you guys is in Denver, which is a two and a half hour flight.
- 24 So they made arrangements immediately to

1 have me airlifted by plane from Glendive, Montana, 2 to Denver, Colorado. 3 Did this all happen in a matter of hours or a hour? 4 5 Α I mean, it was greater than a hour but less than -- I will say less than two or two 6 7 and a half. If you want like exact times, you will have to review the report. 8 9 Q Right. 10 It becomes pretty fuzzy after that, to be 11 honest with you. 12 Okay. Let me digress for a moment. Q 13 as far as your background, how long have you been 14 with the Chicago Fire Department? 15 Α My hire date was January 18th of 1998. 16 Had you performed -- were you a Paramedic 17 during this entire period? 18 Α I was. I'm sorry, I didn't hear that. 19 Q A single role Paramedic. 20 Α 21 What does that mean? Q 22 It means I had no firefighter duties. 23 simply was on an ambulance for the entire time. 24 Did your perform in the role of Director

1 of EMS? 2 I did for Chicago Firefighters Union Α 3 Local 2. In addition to being a full-time 4 5 Paramedic, you mentioned the Union a couple of times. What was your role with the Union? 6 7 I started out as a Union Steward about 15 years ago. Maintained my role with that and then I 8 9 will say 2017 I was elected to the position of 10 Director of EMS of Chicago Firefighters Union Local 11 2. I did both jobs. I was a full-time single role 12 Paramedic, Paramedic in Charge, for the Chicago 13 Fire Department where I was on an ambulance. 14 24-hour platoon shifts and then would go and work 15 in the union hall as Director of EMS. 16 Now as we sit here today or stand or 17 whatever we are doing, are you associated with --18 do you have any more Union duties? 19 Α No. 20 After you suffered the brain bleed, did you come back and at least work with the Union? 21 22 Α Yes. 23 For what period of time? Q 24 Almost to the end of my career. Α

1 resigned with two months remaining in my term. 2 found it too difficult to continue. 3 Have you ever come back and worked as a Q Paramedic? 4 5 Α No. I'm going to go back to the treatment. 6 Q I 7 am not going to go through everything because 8 everything is in the record, but it's my 9 understanding from reading the records that I think 10 on the 3rd they did an angiogram of your brain and 11 they inserted two stents; is that correct? 12 Α Yes. 13 Where are those stents located, to the 14 best of your knowledge? 15 Α They are in the brain, in the carotid 16 artery directly behind my right eye. 17 Again from reading the records, to the 18 best of my knowledge, there was still some issues after the placement of the first two stents so they 19 20 went back in and did another angiogram on August 21 14th and put a third stent; is that correct? 22 Α Yes. 23 Did you have some other complications Q

24

after that? Any clotting?

A Well, absolutely. The issue of having a foreign body in your arteries is going to create the clotting. When these stents were put in, the stents site had clotted and there was an issue with that and so the sites themselves had clotted and they were afraid that the clots were going to break off creating an embolism. And the embolism would then go ahead and create another stroke that would be equally as catastrophic as the first event.

So it was a rough 14 days. I mean, I was in the neuro ICU, in Denver, for 14 days and it was quite a ride during those 14 days.

- Q So they treated the clotting with medication; is that correct?
 - A Yes. A heparin drip.

- Q And then eventually you were released, and I don't know the exact date, I think around August 17th, does that sound right?
 - A That sounds pretty close, yes. I don't have the calendar in front of me.
 - Q The records indicate then you came back and you saw I believe another neurosurgeon locally; is that correct?
- 24 A Well, a neurointerventionist.

- Q What is your understanding --
- 2 A An interventionist -- a surgeon -- yeah,
- 3 I -- it is kind of weird because it is specialties
- 4 at this point. The interventionists are the ones
- 5 | that put the devices in. A surgeon will deal
- 6 directly with the tissues as does like a
- 7 | neurologist. So your neurologist will deal
- 8 directly simply with tissues. An interventionist
- 9 | will deal directly with the devices.
- 10 So what I was dealing with and with both
- 11 | kind of, you know, neurologists and
- 12 interventionists in Denver -- I went and had a new
- 13 | interventionist here. It was initially Doctor
- 14 | Gerboni (phonetics) and then I saw his two
- 15 associates for MRAs that I had done both in 2019
- 16 and then again in 2020.
- 17 | Q Do you continue to have to go in at least
- 18 | annually or as needed for checkups to make sure
- 19 | that the stents are in place and they are not
- 20 | leaking?

- 21 A That's correct. Per Doctor Frey, who was
- 22 | the initial interventionist, in Denver. Per his
- 23 orders these stents have to be checked by MRAs on
- 24 an annual basis.

Q I am going to talk to you about your limitations after this event. How was it for six months?

A It was extremely difficult for six months because obviously it really just kind of knocked the wind out of my sails. You can't imagine the headaches and there was -- and just trying to live off of Tylenol and Excedrin and because I wasn't taking any medications specifically for headaches, right. And anything upon exertion was creating headaches and fatigue, unbelievable fatigue.

And part of the release orders was no restrictions as tolerated. So you were trying to discover and trying to determine what could I tolerate and we were kind of figuring out, especially in the first six months, it wasn't a whole lot. Okay.

And then when I went and started seeing

-- based on Doctor Robinson, who is my primary care
physician, and he finally referred me to a
neurologist and then the neurologist started giving
me medication for the headaches that helped
somewhat but not with the headaches upon exertion.

But, I mean, they did help. The headaches are

somewhat controlled in that sense. But the first
six months were definitely extremely difficult
while I was trying to get my footing on what I
could tolerate.

- Q So would you say that you made some improvement after six months?
 - A Definitely.
 - Q Did the headaches ever go away?
- A No.

Q You mentioned something about exertion and I read some stuff in the records about heat exposure. How does that affect your headaches?

A The way I describe it I have a baseline normal. And the heat is really rough because it is almost when the body temperature gets elevated it creates the headache and then the headaches brings on the fatigue and then I have to go and rest and generally I have to take a nap. But heat and then any sort of exertion, physical or emotional, it almost immediately brings on these headaches and I had discussed that both with my primary care physician and my neurologists.

So that is where the exertion -- anything that takes me out of my realm of baseline normal.

Generally whether it is emotional, physical, but even when we talk about physical, heat, especially when we talk about extreme heat when we get into temperatures like when we get into the 80 degree range or greater.

Q In the notes it indicated that you were no longer doing activities that you love, but it doesn't really specify. Are there things that you did on a regular basis before the subarachnoid hemorrhage and before the discovery of the aneurysm that you can no longer do now?

A Well, I mean, obviously, when we talk about those things, I mean, just extended physical activities. Like we would talk about around the house where I would always be the guy that would always do the lawn and the snow shoveling. I had to go ahead -- my kids have to take care of that now.

As far as recreational things, there are things like going camping and things like that, that I can't do. Anything that requires any sort of physical exertion, I simply cannot do any more.

- Q Lawn work?
- 24 A You know what, a little bit. But, you

know, I can't complete like a lawn in one -- at one
time. You know. I can do a few lanes and then I

got to take a break for -- you know -- sit down,
take a break, get out of the sun, get in the shade.

Where I could do both lines, edge and everything,

the headache is there. I got to take a break.

- I learned that I am just going to have my sons do it because it is not something that I can -- it is not an easy task. It becomes a very difficult task.
 - Q You said earlier that as tolerated you would kind of try to figure out your limits, correct?
 - A That is correct.

- Q I know we discussed -- if you could just -- we will be brief with the Board, but was there a point in the winter where you were helping your sons move something where you really tested your limits?
- A Yes. This was huge because before I was a Paramedic I was a furniture mover and always took a lot of pride in my ability to be able to lift, right. We had a refrigerator in our basement that we -- and refrigerators generally aren't like

super, super heavy. They are cumbersome but they are not like crazy heavy. They are just awkward and bulky.

My sons are 23 and 20. They are not little guys. I figured I will give you a hand taking it out from the basement. So they had the bottom and I had the top, which you know the bottom carries all the weight.

So we get it. We tip it over. We start bringing it up to the top and we don't get two steps into it when I felt the top of my head was going to blow right off. I had to sit down and I knew that was it and I had to go and I laid down and I ended up having to lay down for over three hours after that particular event.

And says, man, I can't even imagine -- if
I can't even do this one refrigerator, how would I
ever be able to lift a patient up or down any
flights of stairs and a stair chair?

Q So based on your current condition and for say the past six months, do you personally feel that you could safely perform the job of a Paramedic?

24 A No.

Q Why?

A I just don't have that ability neither physically or even cognitively. I don't have -- I am just not the same person mentally as I was prestroke. Okay. I just -- my thought process is a little fuzzy.

I am in emergency situations where

people's lives are at stake and so I don't have the

ability where if I am in the middle of an emergency

situation I go ahead and I have to carry somebody

down a flight of stairs who maybe just had a heart

attack. He's dead weight. I get him in the back

of the rig and now I have a headache. I can't do

this.

There is a risk to me and there is a risk to the people that I would serve and we do 24-hour platoon shifts. As it is I couldn't go without the sleep. The sleep depravation would probably be too much because of the 24-hour platoon shifts.

Everyone knows that paramedics do not sleep for even four hours a shift let alone -- you know, this is a job that is known for slip depravation.

Lifting. And then having to be sharp while in these emergency situations.

1 Have your sleeping patterns changed after 2 the stroke? 3 Absolutely. I used to be a guy that could get by on four to six hours easily and now it 4 5 is eight or better on most days with a nap. you say, I get a headache and I have to lay down 6 7 for a little bit. Most days do have a headache. The only thing that really helps with 8 9 that is laying down? 10 Α Yes. 11 If you did go back -- I mean, there is no Q more Union activities so you would be just 12 13 basically 100 percent Paramedic? 14 Α Yes. 15 Q To the best of your knowledge, has any of 16 the doctors ever released you back to work either 17 through the Medical Section at the Department? 18 anyone else say, you know, you're good to go, you're good to go back to work? 19 20 No. Meaning no they have not released me back to work. 21 22 MR. MARCONI: I don't think I have 23 anything else, Vince. 24 MR. PINELLI: Mr. Chairman, may I

1	inquire?
2	CHAIRMAN FORTUNA: Do the trustees have
3	any questions?
4	MEMBER MCPHILLIPS: Can the trustees ask
5	questions after the attorneys do their questioning?
6	MR. PINELLI: It can go either way.
7	Whatever the Board's pleasure is.
8	MEMBER MCPHILLIPS: I'd like to hear your
9	questioning first, if you don't mind.
10	MR. PINELLI: That is fine, I will
11	proceed.
12	EXAMINATION
	BY MR. PINELLI:
13	
13 14	Q I just have a couple of questions, Mr.
14	
14 15	Q I just have a couple of questions, Mr.
14 15 16	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup
14 15 16 17	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any
	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any activities by which you earn income or money?
14 15 16 17	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any activities by which you earn income or money? A Yes.
14 15 16 17 18	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any activities by which you earn income or money? A Yes. Q What is that?
14 15 16 17 18 19	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any activities by which you earn income or money? A Yes. Q What is that? A I just recently took a job as a
14 15 16 17 18 19 20	Q I just have a couple of questions, Mr. Davilo. First of all, since you went on layup because of this incident, have you engaged in any activities by which you earn income or money? A Yes. Q What is that? A I just recently took a job as a temperature monitor part-time.

1 where I take a temperature of people walking into 2 construction sites. 3 So how long have you been doing that? About four weeks. 4 Α 5 Q Does it require you to be exposed to heat or heavy physical activity? 6 7 No, just lifting a thermometer. Α Do you do that indoors or outdoors? 8 Q 9 Α Indoors. 10 Have you experienced any headaches while 11 you have been doing that? 12 Α No. 13 With respect to the headaches you have 14 described, prior to this incident and the insertion 15 of the stents, did you ever have headaches of the 16 frequency and intensity that you have described 17 afterwards? Did you ever have those before that? 18 Α No. Have any of the doctors that have treated 19 Q you for your condition told you what they believe 20 21 the cause of the headaches is? 22 They have not. Really, they have not 23 told me what they believe the cause is. They are 24 not certain. That is why the neurologist has

1 prescribed the Topiramate in hope that would help 2 with the headaches but it hasn't and it has helped 3 in the sense that the headaches don't necessarily come on unprovoked but it hasn't helped when they 4 5 come on provoked. Do you understand the answer? Are you saying that the medicine might 6 Q 7 mitigate some of the intensity of it but it doesn't prevent them? 8 9 Α Exactly. 10 MR. PINELLI: Thank you, sir. 11 all the questions, Mr. Chairman, I have of this 12 witness. 13 CHAIRMAN FORTUNA: Any questions? 14 MEMBER MCPHILLIPS: I have a quick 15 question. 16 Joe, do you think it would be possible 17 for you to go back and do some type of 18 administrative and office work like a member had suggested in open comments of the meeting without 19 20 doing patient care? Is that something that has 21 been offered to you? 22 Nothing has been offered to MR. DAVILO: 23 me and I don't know if a 40-hour work week would

even be plausible at this time or if an ADH would

```
1
     have been offered to me so I don't know if that is
2
     possible. I don't know but would the City even
 3
     offer that? I am not saying I would be against
     that, if you know something I don't know.
 4
 5
               MEMBER MCPHILLIPS: No, I don't.
     not aware of anything.
 6
 7
               MR. DAVILO: We are talking about can I
     go back to the streets as a Paramedic for the City
8
 9
     of Chicago and the answer is no.
10
               MEMBER MCPHILLIPS: So the argument that
11
     the work that you were doing at the Union Hall
12
     isn't similar to what you would be doing on a
13
     24-hour shift as a Paramedic?
14
               MR. DAVILO: That is correct.
15
               MEMBER MCPHILLIPS: As a Paramedic, you
     need a license?
16
17
               MR. DAVILO: No. The Paramedic job is
18
     completely different than the job we did at the
     Union Hall. The Union Hall primarily was for the
19
20
     most part clerical. Even at the Union Hall, there
21
     were problems there for people that I worked with
     there when the stress level kicked in. Finally, I
22
23
     had to resign from that position because of the
24
     stress level.
```

```
1
               MEMBER MCPHILLIPS:
                                   That aside, Joe, you
2
     need a license to be a Paramedic, correct?
 3
               MR. DAVILO: You do need a license.
               MEMBER MCPHILLIPS: You didn't need a
 4
 5
     license to do any of your Union work?
               MR. DAVILO: No, just the popularity of
 6
 7
     the membership.
8
               MEMBER MCPHILLIPS: Obviously, you
9
     weren't doing any drinking on the job I am assuming
10
     because you are not allowed to drink on the job.
11
     Obviously, at the Union Hall there is some pretty
12
     extensive liquor cabinets there.
13
               MR. DAVILO: There is a lot of drinking
     going on in that Union Hall, Tim. I don't need to
14
15
     tell you that. But, no, I never -- I never engaged
16
     either way.
17
               MEMBER MCPHILLIPS: There is no
18
     comparison between the Union work and being a
     licensed Paramedic.
19
20
               MR. DAVILO: Exactly. They are two
21
     different types of jobs.
22
               MEMBER MCPHILLIPS: It wasn't quite clear
23
     to me what the intention of the initial comments
24
     were at the beginning of the meeting. I don't know
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1
     if it was a bad connection, some slurring of words,
2
     it wasn't clear to me. I appreciate you.
3
     you.
               MEMBER NANCE-HOLT: That's not
 4
 5
     appropriate.
               MEMBER MURPHY: We're getting off track.
 6
7
               MEMBER NANCE-HOLT: Thank you. We're
8
     getting off track.
9
               MS. BURNS: I just want to remind
10
     everyone this is a public meeting that is being
11
     recorded.
12
               CHAIRMAN FORTUNA: Are we going to move
13
     on to the doctor's testimony?
14
               MR. PINELLI: Yes, we can do that.
15
               Mr. Marconi, is that okay with you?
16
               MR. MARCONI: Yes, sir.
17
               MR. PINELLI: At this time then I would
18
     call Doctor Peters to testify.
19
                             (Witness previously sworn.)
20
                    MICHAEL I. PETERS, M.D.
21
     a witness herein, having been first duly sworn, was
22
     examined and testified as follows:
23
                          EXAMINATION
                       BY MR. PINELLI:
24
```

- 1 Sir, please state your name for the 2 record. 3 Α Michael I. Peters. And you are a physician; is that correct? 4 Q 5 Α Yes, that is correct. A copy of your qualifications as a 6 Q 7 physician are attached to the Board Exhibits; is 8 that true? 9 Α Yes. 10 Do you perform a function as a consultant 11 to this Fund in which you review medical records, 12 interview applicants and in the current climate you 13 can only interview them and then report to the 14 Board your findings? 15 Α Yes, that is correct. 16 Did you follow that procedure with 17 respect to Mr. Davilo and file a report that is 18 marked as Board Exhibit Number 2? 19 I did, with the exception that at the 20 time that Mr. Davilo was being evaluated was before 21 the Covid pandemic.
- Q I'm sorry, you broke up. You said at the time -- could you repeat that?
- 24 A Yes. At the time that I performed Mr.

Davilo's evaluation it was before the Covid-19 and
I did meet with him personally and I was able to
examine him.

Q Okay. Very well. Thank you. The results of your exam are contained in your written report; is that correct?

A Yes.

Q Doctor, can you tell us please what was the medical condition that he experienced?

A Mr. Davilo had an acute onset of what is described, not medically, as a thunder clap headache. He described it as the worse headache of his life, that was due to a ruptured aneurysm, which is a weakness or a defect in his right internal carotid artery, which sits in the brain. It caused bleeding into the subarachnoid space, which in a large percentage of the people often leads to a permanent disability.

Fortunately, for him he was able to get to the hospital where they did a CT and transfer him to a definitive care center by flight and he had two stents put in to block off the aneurysm. And as he described they clotted and so then two days later he had a third stent put in which has

remained functional and has prevented any further bleeding.

Q Doctor, just to be clear for the record, the medical condition he experienced is that a stroke?

A Yes. Strokes can be hemorrhagic or they can be from clots; hemolytic. In his case it was a hemorrhagic stroke.

Q You heard his testimony regarding the fact that he has been experiencing headaches with some frequency and intensity that are brought on by various conditions in the environment, including physical exertion, exposure to heat, with frequency since he had the treatment for the stroke. Are you aware of what is causing those headaches or are you able to say from the review of the medical records what is causing the headaches?

A I am not able to determine the cause of his headaches, based on the medical review that I performed, no.

Q Okay. Doctor, given just your general medical background and experience, if somebody experiences the same condition that he had and the subsequent treatment, do you believe that headaches

could be a resultant symptom or condition from that 2 treatment?

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I think it would be incorrect to group every person that has a subarachnoid hemorrhage in the category involving a hemorrhage headache. There is a categorization which is used and he was Grade I which really only speaks to what symptoms he was having at the time of his bleed being headache and not any neurologic deficit. Whether that makes it more or less unlikely for him to have a headache later, I don't know that we can really say that. But in his most recent MRA there was no evidence of any mass affect or raised intercranial pressure.

Q Okay. Finally, based upon the review of the medical records, did he report that he was experiencing headaches -- did he make that report consistent with all of the doctors who examined him or treated him?

Α From the time that he started reporting headaches, which was after he left the hospital in Denver, he was very consistent in that the history that he provided today is very consistent with what I saw in the medical record and what he provided to

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     me during our meeting.
2
               During your examination, did he report
 3
     the headaches to you as well?
               Yes, he described it the same way that he
 4
 5
     described it today. Primarily exertional
     associated with stress, associated with high
 6
 7
     temperatures.
8
               MR. PINELLI: Thank you, doctor.
9
               That is all the questions I have, Mr.
10
     Chairman. May I ask counsel if he has any followup
11
     questions?
               CHAIRMAN FORTUNA: Trustees, are there
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13
     any questions for Doctor Peters?
14
               MEMBER CONYEARS-ERVIN: I have a
15
     question. This is actually -- I don't think that
     this is -- how do I phrase it? I am just trying to
16
17
     understand, doctor, how do you know if someone has
18
     headaches?
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               DOCTOR PETERS: I know if somebody has a
20
     headache if they report they have a headache during
21
     their history.
22
               MEMBER CONYEARS-ERVIN: You said what,
23
     doctor?
24
               DOCTOR PETERS: I know somebody has a
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- 1 headache if they report to me during their history 2 -- when I am taking a history, they report a 3 headache, that's how I would know. So during the medical exam you were able 4 to determine that Mr. Davilo was suffering from 5 headaches? 6 7 DOCTOR PETERS: That is what he reported to me and it was consistent with what I had read in 8 9 his medical record. 10 MEMBER CONYEARS-ERVIN: That is what he 11 reported to you and it was consistent with what you 12
 - had read in your medical records?
 - DOCTOR PETERS: In his medical record that I was provided, yes.

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MEMBER CONYEARS-ERVIN: So are you able to tell if he was suffering from headaches?

DOCTOR PETERS: There is not really an objective test for the symptoms he's describing. If he had had an abnormal MRI and there was evidence of a mass or a mass affect, then that would be considered objective. But I think many people with headaches would just report that they have a headache. There is not really a way to objectively verify that they are actually having a

1 headache. 2 MEMBER CONYEARS-ERVIN: Thank you. CHAIRMAN FORTUNA: 3 Trustees? MEMBER MCPHILLIPS: No questions. 4 5 CHAIRMAN FORTUNA: Anybody else? 6 Doctor, I do have a question. Consistent 7 with the testimony, do you believe that Mr. Davilo could do the job of Paramedic? 8 9 DOCTOR PETERS: I think based on his 10 initial stroke he can return to work because that 11 has been treated. His followup MRAs have shown 12 that the stent is intact so I don't believe that 13 keeps him from being able to be a Paramedic. But 14 the headaches he is describing, being associated 15 with things I would expect him to deal with on a 16 daily basis during a shift, he wouldn't reliably be 17 able to do his job and take care of people. 18 CHAIRMAN FORTUNA: Okay. Thank you. Any other questions? 19 20 MR. PINELLI: If I may, Mr. Chairman, 21 counsel, you certainly have the opportunity to 22 followup with the doctor. I would just encourage 23 you we have a very heavy docket today of cases. 24 This is just the first one. So given the fact that

1 the records have been presented to the Trustees, I 2 just encourage you to try to be as efficient as you 3 can but you may inquire. MR. MARCONI: I definitely understand. 4 5 just had a couple just to clear it up in my mind. 6 **EXAMINATION** 7 BY MR. MARCONI: What does Grade I mean? 8 Q 9 That is a description of his symptomology Α 10 at the time that he presented. The only reason I 11 brought that up it is in his medical records from 12 the physicians that took care of him at the other 13 sites; at the first hospital he presented to and 14 then at the specialty neurologic center. 15 Specifically it has to do with what 16 symptoms he's having and what neurologic deficits 17 he's experiencing. So Grade I would be headache. 18 Where Grade V would be somebody in a comma and posturing and then each grade gets more severe. 19 20 And then correct me if I am wrong, I think you said that -- I don't know if you used the 21

word "usually". It could lead to permanent damage

but it sounds like Mr. Davilo got prompt care which

might have saved his life?

22

23

- 1 A It did save his life, yes.
- Q So this is a very, very serious condition

 I assume, correct?
- 4 A Yes, it is.

- Q In my internet research, I had a hard time finding any long-term studies about stents and their failures or the reason for failure. Has there been a lot of studies on that?
- A And how long the stent would be expected to survive?
- Q Yes. I guess what I am getting at he obviously has three stents in his brain. Is there an increased risk that with some extreme exertion or heat or any kind of stress could that affect the stent? I mean, we know that they are fine when he goes in every year but he hasn't been back to work yet. I was trying to figure out whether the stents would place him more at-risk.
- A I am not sure I understand your question.

 They would place him more at-risk for what?
- Q Well, he has three stents in his brain.

 I am wondering is he at-risk for them to fail, for them to burst, for more clotting, if he was to undergo very heavy lifting, very high heat if he's

1 at a fire or any of the things that are associated 2 with being a Firefighter or Paramedic? 3 No. As I stated before from the standpoint of the subarachnoid hemorrhage and 4 5 treatment, that doesn't prohibit him from returning to work as a Paramedic. 6 7 Okay. And then as far as some of the limitations he has mentioned about his abilities, 8 9 would that play a role in your opinion as to 10 whether or not he could perform the job of a 11 Paramedic? So I also said that before which I will 12 Α 13 go over it again. He's reporting to me headaches 14 associated with the types of activities I would 15 expect he would do regularly during shift. So 16 those symptoms he's describing; debilitating 17 headaches, fatigue and stress and lifting, I think 18 would make it hard for him to do his job. MR. MARCONI: Okay. Thank you. 19 I don't 20 have anything else, Vince. 21 MR. PINELLI: Thank you. I have no 22 follow-ups of the doctor.

At this point, counsel, do you intend to

call any further witnesses?

23

T	MR. MARCONI: I do have two waiting. I
2	can be quick. One of them is Pete O'Sullivan who
3	has worked with Mr. Davilo both on-the-job as a
4	Paramedic as well as in the Union office. He would
5	probably testify to some of the limitations
6	personally observed around the union office.
7	MR. PINELLI: Again, it is your case and
8	it is your burden of proof so I don't want to
9	restrict you, but I do want to encourage you to do
10	it as quickly as possible within the limits of our
11	time constraints.
12	MR. MARCONI: Okay. I call Pete
13	O'Sullivan and I will be very brief. He would need
14	to be sworn.
15	(Witness sworn.)
16	PETER O'SULLIVAN
17	a witness herein, having been first duly sworn, was
18	examined and testified as follows:
19	EXAMINATION
20	BY MR. MARCONI:
21	Q Good morning, Mr. O'Sullivan. I just
22	want to go a little bit through your background for
23	people who don't know you. Tell us how long that
24	you worked with the Chicago Fire Department, what

1 roles you played and also your association with the 2 Union.

3 I had 42 years on the Chicago Fire Department. Came on in January, '78. A couple of 4 months short of 42. I came on as a Paramedic. I 5 was a Paramedic on Ambulance 1 for at least 12 6 7 years. I was a paramedic with the Fire Department 8 for 15 years. Crossed over as a Firefighter. I 9 was a Firefighter and Lieutenant on Truck 11 and 10 Engine 19 for I believe it was 26 of those years. 11 As I said I was also a Paramedic. I was always involved in the Union since the strike at least and 12 13 I was a Union Steward. I was on various 14 committees. I was the EMS Director I believe from 15 '90 to '93 with Local 2 and I was 1st District 16 Business Agent for the past 15 years before I 17 retired.

- Q When did you retire, recently?
- 19 A October of last year.
 - Q Do you know the applicant Joe Davilo?
- 21 A Yes, sir.

18

- 22 | Q For how long?
- 23 A I have to know Joe at least 20, 25 years.
- 24 Q Did you work with him when he was a

1 Paramedic? 2 I was detailed to certain houses and Joe was detailed at the houses where I was at the time. 3 I did work with him on the Fire Department. 4 5 I can't remember if you said this or not, were you also at one point the EMS Director? 6 7 Yes, I was. I was the EMS Director for Α Local 2. 8 9 Is that kind of overseeing paramedics? Q 10 Α Yes. 11 Knowing what you know about Joe prior to Q 12 this stroke, was he able to perform 100 percent? 13 Yeah, Joe was a go-getter. Joe was a 14 really sharp guy. I know a lot of the medics 15 turned to him. He was a Steward for a long time. 16 A few years ago they had a trial board 17 for six or seven paramedics that they wanted 18 removed from Local 2 and Joe was their counselor in front of this trial board. Joe prevailed over it 19 over the people that the International Association 20 21 of Firefighters had to prosecute our seven members.

Joe has a pretty good standup reputation with the Fire Department and Local 2.

22

23

24

Q As far as Local 2, did you work with him

1 hand-in-hand with various things in the Union?

A Yes. Joe come to me a lot because as a previous EMS Director and having a Paramedic license, I had a lot of history of what went on prior to maybe Joe coming on the Fire Department or operating in the capacity he was working in.

Q Okay. Now I am not going -- you obviously know at some point he had a very serious incident which occurred out of state. He suffered a brain bleed; is that correct?

A That's correct.

Q Is it your understanding that after a period of time he did come back to work at least in his Union capacity; is that correct?

A That is correct.

Q After Mr. Davilo came back to work and when you were working with him in the Union, did you see any changes from say before he suffered this hemorrhage?

A A lot of changes. I don't know if Joe is listening to us right now, but go ahead. What is your next question?

Q I just want you to tell the Board what change did you see in Joe after he had this stroke?

A I hate to say -- like I say, I don't know if Joe is listening or not, but I think a lot of his mental capacity was questionable. He would fly off the handle easily. We have had certain meetings -- you know -- his attention span wasn't there. He constantly would repeat himself. There was a couple of times at meetings with Local 2 and even negotiations where he had to leave the meeting because he would get headaches. He just wasn't the same. I think what he was trying to do was just fill out his commitment to Local 2 and just give it up.

Q Also --

- A He wasn't on top of his game.
- Q Did you personally observe him just kind of, for lack of a better term, check out of meetings and have to go somewhere and lay down or just take himself away from it?
- A Oh, yes. One of the negotiation meetings

 -- it might have been a board meeting. He had to

 leave the board meeting. He came over to me. He

 says I can't take it. I don't feel good. I have

 headaches. He says I am going to go home.

24 So I waited a couple hours and another

board member and I called him. He said I almost pulled over on the expressway to call an ambulance, that's how bad he felt.

We tried to tell him on the board maybe it is time to pack it in. You just can't handle the stress anymore. It is not going to go good for you.

Q Have you supervised other paramedics?

A Oh, yes. Yes, on the Fire Department and as a Paramedic.

Q So your 43 years of experience, given what you have seen about Mr. Davilo after this incident, do you think he could go back and safely perform the job of a Paramedic?

A No way. No way could Joe go back. I don't think he could handle the 24-hour shift.

Number two, I don't know how his Paramedic skills are now. What he retains, what he doesn't retain.

I think that there would be a liability to put him on the street for the City because like I say I don't know what Joe -- the way his mental capacity is now I don't know if he's really all with it.

Basically, he couldn't handle the demand. There is no doubt in my mind.

1 Q Why do you say that? EMS, especially EMS, you get on a lot of 2 Α 3 these ambulances, they are up 18, 20 hours a day. 4 They are not eating properly. They are never at 5 home for meals most of time. No way Joe can handle 6 that especially at his age and for what has 7 happened to him now a couple of years ago with the 8 stroke. 9 Would you have safety concerns if Joe 10 went back out on the street as a Paramedic? 11 Not only for himself but for anybody who had to work with him. 12 13 Or a patient? 14 Or a patient. If Joe said tomorrow, Α 15 Pete, I'd like to go back to work. I am thinking on going back to work. I really would have to tell 16 17 him you have completely lost your mind. There is 18 no way he could go back to work in my estimation. MR. MARCONI: Vince, I don't have 19 20 anything else. 21 MR. PINELLI: Mr. Chairman, any questions from the Board? 22 23 CHAIRMAN FORTUNA: Any questions for Pete

O'Sullivan?

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1
               Hearing none, move on, please.
2
               MR. PINELLI: Thank you. I have no
3
     questions.
 4
               MEMBER O'SULLIVAN: Thanks, quys. I
 5
     appreciate it.
               MR. PINELLI: Counsel, anything further?
 6
7
     We're running close to a hour now.
8
               MR. MARCONI: Alright. Let me put it
9
     this way. I have Mr. Davilo's wife ready. She's
10
     going to basically say the same things as Mr.
11
     Davilo as far as his limitations and observations.
12
               I realize it's my burden of proof. If
13
     any of the board members think that it is
14
     necessary, that they want to hear from Ms. Davilo,
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     I mean she has been a nurse for over 30 years. She
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     works at a Level I trauma center. I could call
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     her. If the Board has heard enough, I don't want
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     to prolong this.
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               CHAIRMAN FORTUNA: Trustees?
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               MEMBER MCPHILLIPS: I'm sorry, counselor,
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     are you suggesting that the testimony would be the
22
     same as the previous witnesses?
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               MR. MARCONI: Yes. As an offer of proof,
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     it essentially is going to be the same where she
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     has witnessed his inability to stay up for long
2
     periods of time. She was there when he tried to
 3
     move the refrigerator. She would probably add a
     couple of things about unable to drive long periods
 4
 5
     of time, the sleep patterns and that would be it.
     So there is a lot of overlap with what Mr. Davilo
 6
 7
     has already testified to.
8
               MEMBER MCPHILLIPS: I don't see a need to
9
     hear that testimony then. I don't know if anyone
10
     else does.
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               MR. PINELLI: That being the case then,
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     counsel, would you rest at this point?
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               MR. MARCONI: Yes, sir.
14
               MR. PINELLI: No further evidence to be
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     presented.
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               CHAIRMAN FORTUNA: Are there any motions,
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     Trustees?
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               MEMBER MCPHILLIPS: Motion to grant.
               CHAIRMAN FORTUNA: There is a motion to
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20
     grant by Trustee McPhillips.
21
               MEMBER CONYEARS-ERVIN: I apologize. I
     was trying to unmute. If Trustee McPhillips is
22
23
     willing to pull the motion for now, I wanted to
     make a motion for Executive Session.
24
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1	MEMBER MCPHILLIPS: Yes, that would be
2	great. I will second that motion. Thank you,
3	Trustee.
4	MS. BURNS: It would be a motion to go
5	into closed session pursuant to Section 2(c)4 of
6	the Open Meetings Act and Trustee Conyears-Ervin is
7	making that motion. Is there a second?
8	CHAIRMAN FORTUNA: There is a second by
9	Trustee McPhillips.
10	CHAIRMAN FORTUNA: Trustee Soni.
11	MEMBER SONI: Yes.
12	CHAIRMAN FORTUNA: Trustee
13	Conyears-Ervin.
14	MEMBER CONYEARS-ERVIN: Yes.
15	CHAIRMAN FORTUNA: Trustee McPhillips.
16	MEMBER McPHILLIPS: Yes.
17	CHAIRMAN FORTUNA: Trustee Holt.
18	MEMBER NANCE-HOLT: Yes.
19	CHAIRMAN FORTUNA: Trustee Murphy.
20	MEMBER MURPHY: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	(Whereupon, the Board went into
23	executive session off the record.
24	No action was taken in Executive

1	Session.)
2	CHAIRMAN FORTUNA: I don't know if there
3	was a second on Trustee McPhillips' motion. I
4	don't recall if there was a second.
5	MEMBER MURPHY: Second.
6	CHAIRMAN FORTUNA: There's a second by
7	Trustee Murphy.
8	Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee
11	Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: No.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER McPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Holt.
16	MEMBER NANCE-HOLT: Yes.
17	CHAIRMAN FORTUNA: Trustee Murphy.
18	MEMBER MURPHY: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	The motion carries.
21	I am going to need a motion for reexam.
22	MEMBER MCPHILLIPS: I make that motion
23	for reexam consistent with the Board's policies.
24	MEMBER NANCE-HOLT: Second.

1	CHAIRMAN FORTUNA: Motion for reexam
2	seconded by Trustee Holt. All in favor?
3	(Chorus of ayes.)
4	CHAIRMAN FORTUNA: Opposed?
5	Hearing none, motion carries.
6	CHAIRMAN FORTUNA: I am going to need a
7	motion to adopt the Findings of Facts prepared in
8	this matter. Is there a motion?
9	MEMBER MCPHILLIPS: I will make that
10	motion.
11	MEMBER MURPHY: Second.
12	CHAIRMAN FORTUNA: Motion by Trustee
13	McPhillips. Second by Trustee Murphy. All in
14	favor?
15	(Chorus of ayes.)
16	CHAIRMAN FORTUNA: Opposed?
17	Hearing none, motion carries.
18	Joe, Davilo, are you still on?
19	MR. DAVILO: I am, Dan.
20	CHAIRMAN FORTUNA: Joe, based on the
21	Findings of Fact made by the Trustees, the Trustees
22	have voted to grant you the benefit you have
23	requested.
24	You will be notified by mail of the

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1
     Findings of Fact and the Board's decision.
2
               Thank you and good luck.
3
               MR. DAVILO: Thanks, Dan, I appreciate
 4
     it.
5
     MS. BURNS: Mr. Garcia, are you on the call?
               MR. GARCIA: Yes, ma'am, I am right here.
 6
7
               MS. BURNS: The record should reflect
     that this is the Occupational Disease Disability
8
9
     application of Israel Garcia.
10
               Mr. Garcia is on the phone. Mr. Garcia,
11
     I would ask that you and Doctor Peters raise your
     right hands.
12
13
                    (Israel D. Garcia and Michael I.
14
                    Peters were sworn to testify.)
15
                        ISRAEL D. GARCIA
16
     a witness herein, having been first duly sworn, was
17
     examined and testified as follows:
18
                         EXAMINATION
                       BY MR. PINELLI:
19
20
           Q
               Good morning, Mr. Garcia.
                                           I am one of
21
     the attorneys for the Pension Fund. I will be
22
     conducting this hearing for the record.
23
               Just a few preliminary matters before we
24
     start the evidence. First of all, there are six
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- 1 trustees present to hear the evidence on your 2 application. If you don't know you should know you 3 need the yes vote of at least five of those Trustees in order to receive this benefit. 4 5 Mr. Garcia, did you understand what I just said? 6 7 Yes, I did, sir. Α Thank you. It's clear you are proceeding 8 Q 9 without an attorney, that is your desire today; is that correct? 10 11 Yes, sir. Α By way of procedures, I am going to start 12 13 by asking you some questions under oath. The board 14 members may or may not have questions of you. Then 15 I will call Doctor Peters to testify. If there is 16 anything I don't ask him that you think is 17 important, just let me know and you will be given 18 that opportunity. Do you understand the procedures? 19 20 Yes, I do, sir. Α 21 Q Please, state your name for the record.
- 22 Α My name is Israel D. Garcia.
- 23 Mr. Garcia, what is your current rank Q 24 with the Fire Department?

1 Ambulance Commander, Ambulance 36. Α 2 Prior to today's date, did you receive a Q 3 copy of Board Exhibits 1 through 12? Yes, I did, sir. 4 Α 5 Q Did you have a chance to review them? I had a chance to look over them, yes, I 6 Α 7 did. 8 Do you have any objections to their 9 admission into the record in support of your 10 application? 11 No, sir, no objections whatsoever. Α 12 MR. PINELLI: Thank you. 13 Mr. Chairman, I move for admission of 14 Board's Exhibits 1 through 12, without objection 15 from the applicant. 16 CHAIRMAN FORTUNA: Please admit without 17 objection. 18 (Board Exhibits 1 through 12 were 19 admitted into evidence.) 20 MR. PINELLI: Thank you. 21 BY MR. PINELLI: 22 Mr. Garcia, you are applying for an 23 Occupational Disease Disability benefit based upon 24 a medical condition that you have and what is that, 1 sir?

- 2 A Pancreatic cancer.
- Q You entered service with the Fire

 Department in 1993; is that correct?
 - A Yes, sir. November 16, 1993.
 - Q Did you develop that condition since the time you entered service with the Fire Department?
 - A Yes, I did.
 - Q Can you tell us just briefly what assignments you have had from when you came on in '93 to your most recent assignment?
 - Paramedic in the old 4th District for two years.

 After that I was assigned to Ambulance 10 for three more years. In 1998, I took the promotion to PIC and I was assigned to Ambulance 34 for seven years.

 During that time I went to Public Education for a year. After Ambulance 34, I went to Ambulance 9.

 And during Ambulance 9 for seven years I also did a year again in Public Education. After Ambulance 9

 I was assigned to Ambulance 25 for three years and during my tenure at Ambulance 25 I took the promotion to Ambulance Commander and then was assigned to Ambulance 36.

1	Q Thank you, sir. Are you still receiving
2	treatment for your condition?
3	A No, sir. Due to the Covid-19, I was
4	supposed to start a clinical trial but that was put
5	on hold.
6	Q Since you went on layup have you engaged
7	in any activity by which you earn income?
8	A No, sir, not at all.
9	MR. PINELLI: Thank you. That is all the
10	questions I have, Mr. Chairman, of this applicant.
11	CHAIRMAN FORTUNA: Trustees, any
12	questions?
13	Hearing none.
14	MR. PINELLI: Then I would call Doctor
15	Peters to testify.
16	(Witness previously sworn.)
17	MICHAEL I. PETERS, M.D.
18	a witness herein, having been first duly sworn, was
19	examined and testified as follows:
20	EXAMINATION
21	BY MR. PINELLI:
22	Q Sir, please, state your name?
23	A Michael I. Peters.
24	Q You are a physician, correct?

1 Α Yes. 2 Are a copy of your qualifications 3 attached to the Board Exhibits? 4 Α Yes. 5 Q Do you perform a function as a consultant to this Fund in which you review medical records, 6 7 either examine or interview applicants and report 8 to the Board? 9 Yes, I do. Α 10 Did you follow that procedure with 11 respect to Mr. Garcia? 12 Α Yes. 13 Did you file a written report with the Board marked as Board Exhibit Number 2? 14 15 Α Yes, I did. 16 In the case of Mr. Garcia, did you 17 interview him? 18 No, I spoke to him on the telephone due 19 to the Covid-19 pandemic. 20 Okay. Was the information he provided you in that telephone interview consistent with the 21 22 information you found in the medical records you 23 reviewed? 24 Yes, it was.

That is

1 Doctor, can you tell us what medical 2 condition is he receiving treatment for? 3 Mr. Garcia was diagnosed with metastatic 4 pancreatic cancer in April of 2019. It was 5 determined to be inoperable. He had been having symptoms for about six months before the diagnosis 6 7 was made. He completed two courses of 8 chemotherapy. 9 At the time that I spoke to him on the 10 phone he was an inpatient at the University of 11 Chicago due to a reobstruction of his biliary stent 12 and he was having it replaced. He's had multiple 13 other complications related to his illness. 14 Sepsis, DVT and PE. Cellulitis. 15 He was scheduled to be part of a clinical 16 trial at the U of C, but again due to the pandemic 17 that has been put on hold. 18 Doctor Peters, has the International Q Agency for Research on Cancer listed pancreatic 19 20 cancer as a type of cancer that may be caused by exposure to heat, radiation or known carcinogens? 21 22 Α Yes.

MR. PINELLI: Thank you, doctor.

all the questions I have.

23

1	CHAIRMAN FORTUNA: Trustees, any
2	questions for Doctor Peters?
3	Hearing none.
4	MEMBER MCPHILLIPS: Motion to grant.
5	MEMBER NANCE-HOLT: Second.
6	CHAIRMAN FORTUNA: There is a motion to
7	grant by Trustee McPhillips. Seconded by Trustee
8	Holt.
9	Trustee Soni.
10	MEMBER SONI: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee McPhillips.
15	MEMBER McPHILLIPS: Yes.
16	CHAIRMAN FORTUNA: Trustee Holt.
17	MEMBER NANCE-HOLT: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: And I am a yes.
21	I am looking for a motion for reexamine.
22	MEMBER MCPHILLIPS: Motion for reexam
23	consistent with Fund policy.
24	MEMBER MURPHY: Second.

1	CHAIRMAN FORTUNA: Motion for reexam.
2	Seconded by Trustee Murphy. All in favor?
3	(Chorus of ayes.)
4	CHAIRMAN FORTUNA: Opposed?
5	Hearing none, motion carries.
6	Is there a motion to adopt the Findings
7	of Fact prepared in this matter?
8	MEMBER MCPHILLIPS: Motion to adopt the
9	Findings of Fact.
10	MEMBER NANCE-HOLT: Second.
11	CHAIRMAN FORTUNA: Motion to adopt the
12	Findings of Fact by Trustee McPhillips. Seconded
13	by Trustee Holt. All in favor?
14	(Chorus of ayes.)
15	CHAIRMAN FORTUNA: Opposed?
16	Hearing none, motion carries.
17	Based on the Findings of Fact and
18	conclusions of law made by the Trustees, the
19	Trustees have voted to grant you the benefit you
20	have requested.
21	You will be notified by mail of the
22	Findings of Fact and the Board's decision.
23	Good luck and thank you.
24	MR. GARCIA: Thank you, very much to you

```
1
     and the Board. Can I say one thing?
2
               CHAIRMAN FORTUNA: Please, do.
 3
               MR. GARCIA: This is not the way I wanted
     to end my career and I apologize to the Board and I
 4
 5
     never really wanted to go out this way and I thank
     you for what you have done, that is all I can say.
 6
 7
               MEMBER MCPHILLIPS: Good luck.
               MEMBER MURPHY: Good luck.
8
9
               MEMBER NANCE-HOLT: God bless you.
10
               MR. GARCIA: Thank you.
11
     MS. BURNS: Ms. Jaskulski, I notice that you are on
12
     the phone. Are you ready to proceed?
13
               MS. JASKULSKI: Yes, I am.
14
               MS. BURNS: Thank you for your patience.
15
               Doctor Peters, are you doing this
16
     hearing?
17
               DOCTOR PETERS: I am.
18
               MS. BURNS: Let the record reflect this
     is the Occupational Disease Disability application
19
     of Michelle Jaskulski, a Lieutenant Paramedic.
20
     Doctor Peters is also participating in this
21
22
     hearing. Would you both raise your hands, please?
23
                    (Michelle Jaskulski and Michael I.
24
                    Peters were sworn to testify.)
```

1 MICHELLE JASKULSKI 2 a witness herein, having been first duly sworn, was 3 examined and testified as follows: 4 **EXAMINATION** BY MR. PINELLI: 5 6 Q Good morning, Ms. Jaskulski. My name is 7 Vince Pinelli. I am one of the attorneys for the Pension Fund. I will be conducting this hearing 8 9 for the record. Before we start, I would like to advise 10 11 you of a couple things. First of all, there are 12 six trustees currently in the hearing in the 13 meeting. They would be the ones to hear the 14 evidence. If you don't know you should know you 15 need the yes vote of at least five of those six trustees in order to receive this benefit. Do you 16 17 understand? 18 Yes, I do. Α 19 And there has been no appearance by an Q 20 attorney on your behalf so I am assuming you wish to proceed without an attorney; is that correct? 21 That is correct. 22 23 Lastly, it is the applicant's burden of Q 24 proof to present sufficient evidence to the Board

1 in order for the Board to grant the benefit that 2 the applicant is seeking. Do you understand it is 3 your burden of proof? 4 Α Yes, I do. 5 Q By way of procedures, I am going to start by asking you some questions. The board members 6 7 may or may not have questions of you. Then I will call Doctor Peters, the Fund physician consultant, 8 9 to testify. If there is anything I don't ask him 10 that you think is important for the Board to know, 11 just let me know and you will be given that 12 opportunity. Do you understand the procedures? 13 Α Yes, I do. 14 Thank you. Then we are ready to proceed. 15 For the record, could you please just 16 state your name and spell your last name? 17 Michelle Lynn Jaskulski. 18 J-a-s-k-u-1-s-k-i. 19 What is your current rank with the Fire 20 Department? 21 Lieutenant Paramedic. Α 22 What was your last assignment before you 23 went on layup?

I was the ARC Commander of Truck 6-5-5.

24

Α

```
1
           Q
               Thank you. Directing your attention to
2
     the group of exhibits you should have received
 3
     prior to today's hearing, those are Board Exhibits
     1 through 11. Did you receive them and did you
 4
     have a chance to review them?
 5
               Yes, I did.
 6
           Α
 7
               Do you have any objection to their
8
     admission into this record in support of your
9
     application?
10
           Α
               No, I do not.
11
               MR. PINELLI: Thank you.
               Mr. Chairman, I move for admission of
12
13
     Board Exhibits 1 through 11, without objection from
14
     the applicant.
15
               CHAIRMAN FORTUNA: Admitted without
16
     objection.
17
                (Board Exhibits 1 through 11 were
18
                 admitted into evidence.)
               MR. PINELLI: Thank you.
19
20
     BY MR. PINELLI:
21
               Now, Ms. Jaskulski, you are applying for
           Q
22
     an Occupational Disease Disability benefit based
23
     upon a heart condition you have; is that correct?
24
           Α
               That is correct.
```

1 Just tell us briefly what that condition 2 is and what treatment you receive for it. 3 I have an ascending aortic aneurysm at 4.3 centimeters. I see a cardiologist at Lutheran 4 5 General Hospital. What is the name of your cardiologist? 6 Q 7 Doctor Dariush Takhtehchian. Α Has Doctor Takhtehchian placed certain 8 Q 9 restrictions on you based upon your condition? Yes, he has. 10 Α 11 Those would be lifting restrictions as Q 12 well as not engaging in certain stressful working 13 conditions; is that correct? 14 That is correct. Α 15 Q Now you entered service with the Fire 16 Department in 1991; is that correct? 17 Α Yes. 18 Did you develop this condition with your Q heart during the time you have been in service with 19 20 the Fire Department? 21 Yes, I did. Α 22 Have you engaged in any activities by 23 which you earn income since you went on layup? 24 No, I have not. Α

```
1
               Are you taking any medications prescribed
2
     by your doctor for your condition?
 3
           Α
               I am.
               MR. PINELLI: Thank you. That is all the
 4
5
     questions I have.
               CHAIRMAN FORTUNA: Trustees any
 6
7
     questions?
8
               Hearing none.
               MR. PINELLI: I would call Doctor Peters.
9
10
                    (Witness previously sworn.)
11
                    MICHAEL I. PETERS, M.D.
12
     a witness herein, having been first duly sworn, was
13
     examined and testified as follows:
14
                          EXAMINATION
15
                       BY MR. PINELLI:
               For the record, please state your name.
16
           Q
17
           Α
              Michael I. Peters.
18
               You are a physician; is that correct?
           Q
19
               Yes.
           Α
20
               A copy of your qualifications are
21
     attached to the Board Exhibits?
22
           Α
               Yes.
23
               Do you perform a function as a consultant
     to this Fund?
24
```

1 Α Yes, I do. 2 In that capacity, do you review medical 3 records, examine or interview applicants and report to the Board? 4 5 Α Yes. 6 Did you follow that procedure with 7 respect to Ms. Jaskulski? 8 Yes, I did. Α 9 Did you file a written report with the Board that is marked as Board Exhibit Number 2? 10 11 Yes. Α 12 Doctor, could you please summarize for us 13 what her current medical treatment is and for what condition? 14 15 Α Lieutenant Jaskulski was diagnosed with 16 an ascending aortic aneurysm as a part of a workup 17 or evaluation she was having and a screening for 18 cardiovascular disease. It was an incidental 19 finding. 20 Her management at the present time is 21 strict blood pressure control and she is taking 22 Losartan and Carvedilol. 23 If and when the aneurysm were to become

5.5 centimeters, she would need to have a surgery

```
1
     due to the risk of rupture.
2
               Doctor, did you review the medical
3
     records with respect to her treating physician?
               Yes, I did.
 4
          Α
 5
          Q
               Did he place certain restrictions on her
     ability to perform certain physical tasks?
 6
 7
               Yes, he did. He placed her on a 20-pound
     lifting restriction.
8
9
               Based upon your knowledge, would those
          Q
10
     restrictions impair her ability to return to work
11
     on full unrestricted duty?
               She would not be able to do full and
12
          Α
13
     unrestricted duty.
14
               MR. PINELLI: Thank you, doctor. That is
15
     all the questions I have.
16
               CHAIRMAN FORTUNA: Trustees, any
17
     questions for Doctor Peters?
18
               Hearing none, Vince.
               MEMBER MCPHILLIPS: Motion to grant.
19
20
               MEMBER HOLT: Second.
21
               CHAIRMAN FORTUNA: There is a motion by
     Trustee McPhillips. Seconded by Trustee Holt.
22
23
               Trustee Soni.
24
               MEMBER SONI: Yes.
```

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	Is there a motion for reexam?
12	MEMBER MCPHILLIPS: Motion for reexam
13	consistent with Fund policy.
14	MEMBER MURPHY: Second.
15	CHAIRMAN FORTUNA: There's a motion for
16	reexam by Trustee McPhillips. Seconded by Trustee
17	Murphy. All in favor?
18	(Chorus of ayes.)
19	CHAIRMAN FORTUNA: Opposed?
20	Hearing none, motion carries.
21	MEMBER MCPHILLIPS: Motion to adopt the
22	Findings of Fact.
23	MEMBER CONYEARS-ERVIN: Second.
24	CHAIRMAN FORTUNA: Motion to adopt the

```
1
     Findings of Fact pertaining to this matter.
2
     motion is made by Trustee McPhillips and seconded
 3
     by Trustee Conyears-Ervin. All in favor?
                    (Chorus of ayes.)
 4
 5
               CHAIRMAN FORTUNA: Opposed?
               Hearing none, motion carries.
 6
7
               Based on the Findings of Fact and
8
     conclusions of law made by the Trustees, the
9
     Trustees have voted to grant you the benefit you
10
     have requested.
11
               You will be notified by mail of the
     Findings of Fact and the Board's decision.
12
13
               Good luck and thank you.
14
               MS. JASKULSKI: Thank you. I'd like to
15
     thank the Board for their time and service and stay
16
     healthy everybody.
17
               MR. PINELLI: You as well.
18
               MS. BURNS: Ms. Guerin, are you on the
     phone?
19
20
               MS. GUERIN: Yes, ma'am.
21
               MS. BURNS: Is Doctor Samo doing this
22
     one?
23
               DOCTOR SAMO:
                              Yes.
24
               MS. BURNS: If you would both, Ms. Guerin
```

1 and Doctor Samo, please raise your right hands. 2 (Julie A. Guerin and Daniel 3 Samo, M.D. were sworn.) JULIE A. GUERIN 4 5 a witness herein, having been first duly sworn, was examined and testified as follows: 6 7 **EXAMINATION** 8 BY MR. PINELLI: 9 Good morning, Ms. Guerin. As you have Q 10 been told, I am one of the attorneys for the 11 Pension Fund. I will be conducting this hearing 12 for the record. I'd like to advise you of some 13 preliminary procedures before we start the 14 evidence. 15 First of all, there are six trustees 16 present at this time to hear the evidence on your 17 application. You would need the yes vote of at 18 least five of those six trustees under the Pension Code to receive this benefit. Do you understand? 19 20 Yes, I do. Α 21 Thank you. I see you do not have an Q 22 attorney with you. Is it your desire to proceed 23 with this hearing without an attorney? 24 Α Yes.

1 And, lastly, it is the applicant's burden Q 2 of proof to present sufficient evidence to the 3 Board in order for the Board to grant the benefit you are seeking. Do you understand it is your 4 burden of proof? 5 6 Α Yes. 7 By way of procedures, I am going to start by asking you some questions. The Board Members 8 9 may or may not have questions of you. Then I will 10 call Doctor Samo, the Fund's physician consultant, 11 to testify. If there is anything I don't ask him 12 that you think is important for the Board to know, 13 let me know and you will be given that opportunity. 14 Do you understand the procedures? 15 Α I do. 16 Then we are ready to proceed. Could you 17 please state your name for the record? 18 Α Julie A. Guerin. What is your current rank with the Fire 19 Q 20 Department? 21 Paramedic. Α 22 Where were you last assigned before you 23 went on layup?

Ambulance 39.

Α

1	Q Directing your attention to the board
2	exhibits, you should have received a copy of them,
3	Board Exhibits 1 through 14, in advance of the
4	hearing.
5	A I did.
6	Q Did you have a chance to review them?
7	A Yes, sir.
8	Q Do you have any objection to their
9	admission into the record in support of your
10	application?
11	A No.
12	MR. PINELLI: Thank you. Then I am going
13	to move to admit Board Exhibits 1 through 14,
14	without objection from the applicant.
15	CHAIRMAN FORTUNA: The exhibits will be
16	admitted without objection.
17	(Board Exhibits 1 through 14 were
18	admitted into evidence.)
19	MR. PINELLI: Thank you, Mr. Chairman.
20	BY MR. PINELLI:
21	Q Now, Ms. Guerin, understanding that the
22	Board has had the opportunity to review your sworn
23	statement, I would still like to have you briefly
24	summarize for them, if you would, where you were on

May 18, 2019 and what happened to you to cause you an injury that is the basis of your application.

A Sure. It was approximately, I don't know, about seven o'clock in the evening. We went on a run. We got to a restaurant. I went to the side to get the QRB bag, grabbed it out of the side, put it on my shoulder. I felt a sharp pinch. Was uncomfortable but it is what it is.

We go to go into the restaurant and somebody at the restaurant says, oh, well, he's on the floor. I said, oh, okay. Thank you. Turned around and went back to the side door. Threw the QRB onto the stretcher because now I am going to get a board and collar and a stretcher. Throwing it back onto the stretcher again I had pain in the shoulder, it was bothering me, but I did what I had to do. I went inside.

We ended up taking the guy out to

Lutheran General. He was a very large man. We did

call for a company. I do believe one came to help

us move him but we had him all boarded and collared

up on the board and ready to move and took him to

Lutheran General.

I remember feeling tingling automatically

from my left lateral shoulder down the arm that 2 continued throughout the whole run and was seen at 3 Lutheran after we took the patient into the room and was done with that. 4

Q You were examined right at the emergency room where you had taken the patient?

> Yes, sir. Α

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Did they determine at that time what had Q happened to your shoulder, if you recall?

He said it was probably just a shoulder strain I think he said. Just to follow-up with your doctor, with the ortho doctor. I said okay. I contacted Medical after that.

Did you in fact seek treatment from an orthopedic for your shoulder?

Yes. I went to Medical and they sent me to a doctor who sent me to therapy, PT therapy, and I had a MRI or CAT scan and it showed possible tear, rotary labrum possible, and to go see Doctor Petrovich I think his name is. He sent me to therapy and I went there three times a week I want to say for about four mounts or so. Wasn't getting any better. Things were not going anywhere. Then they suggested maybe injections into the shoulder

to try and numb it up, which ouch, very painful,
but that appeared to hide the symptoms. So I went
back to therapy feeling much better but as it wore
off again same thing was going on. It wasn't
improving. I had weakness and pain in the overhead
and outward motions consistently.

They wanted me to see another doctor

because they were concerned because they said

something was going on with my neck. I said, well,

I am not complaining of neck issues. I just want

to get back to work. I was really, really pushing

to get back to work. I don't like to be home.

Anyway, I went to that doctor, a neck doctor, because whoever evaluated me at Sports and Ortho was concerned about whatever findings they were finding with my neck so Medical said, please, go see a doctor.

So I did what they wanted. I went to see a doctor. He says, yeah, you have some issues going on but it is nothing surgical at this point in time so I am going to release you. I said okay. Went back to Medical. They said we want you to see another doctor because I wasn't really feeling -- I wasn't getting anywhere with the first doctor that

I went to see Doctor Portland. He suggested the surgery. I was petrified. I didn't want it but I had never had surgery before. I don't normally have medical issues.

Anyway, I ended up having surgery and I am having lots a problem still. Actually a lot worse problems. Weakness. I am a lefty. I am real active. Unfortunately, I am now learning to use my right arm because my left arm is just not working the way it should.

The mobility in the arm is just not as well as I would like it to be and I have been pushing it and pushing it and I am always in a lot of pain especially when I am in therapy because I am pushing so darn hard. It's just not advancing the way I'd like it to advance. I've gotten to my year and now we are here.

Recently trying to calm down inflammation that is going on in the elbow and the shoulder and in the back. I have lots of inflammation going on which doesn't really help too much.

Q This was your left shoulder; is that

1 correct? 2 Yes, sir. Α 3 Had you ever had any injuries to your left shoulder before this incident? 4 5 No, I have never had any issues with the shoulder. I want to say years -- I don't know how 6 7 many years ago. There was something with the 8 scapula that I had that I want to say. Whatever it 9 was, it was a strain and I came right back to work, 10 that was quite a few years ago. Other than that, 11 no, there's been nothing. I am a lefty so I 12 definitely would have a problem if there was a 13 problem. 14 You are left hand dominant and it is your left shoulder? 15 16 Yes, I am. Α 17 Let me understand, currently are you in 18 physical therapy or are you taking a break to try 19 to let it calm down or what is the status? 20 I would love to take a break. But, no, I have been pushing it and I am in therapy two to 21 22 three times every week. 23 Tell the Board what limitations or

symptoms you're still having today as we speak.

A Well, I can carry anything with my arm straight. I will feel a little pulling but I can do the straight. It is the outward motion. It is like carrying groceries. You can let it hang on your wrist to carry it in. I don't have the strength to get it up onto the counter. I have to use my right hand or put it on the floor and pick it up with my right and put it on the counter.

Putting a gallon of milk into the refrigerator, I can't get it up on that shelf. I am like this is crazy. I should be able to do this. I was able to do it before the surgery and now I can't do it.

I have chronic pain in the clavicle and in the top head of the shoulder, which radiates down my biceps/triceps right in the middle of the arm. I have lots of problems with my left.

Underneath my arm there is a huge muscle that is balled up. They have been trying to get it to release. It's part of my triceps. So that maybe we can release some of the muscle tension so that we can work better on my mobility.

Picking like -- moving flowers around in the yard. I am not capable of picking my arm to

1 pick it up to move it down. I have to use my right arm. It is anything upward or outward that I don't 2 3 have the strength or mobility to do. Okay. Thank you. 4 5 Riding a bike. I went for a bike ride 6 with my son. The stress of my shoulder from riding 7 the bike, I didn't even think about that. 8 miserable. This is ridiculous. 9 I am a lefty. I have been working on my right hand to throw a ball to him. I have an 10 11 11-year old. He likes to play catch. 12 Okay. So you have become ambidextrous, Q 13 that's not bad. 14 I am working on it. I am definitely 15 working on it. 16 The surgery was November of last year. 17 Has Doctor Portland told you you have achieved MMI 18 or Maximum Medical Improvement yet? No. He just recently -- the last visit 19 20 was to start trying to add more strength to get the 21 strength to work in the arm more because it is not 22 as fast as everyone else maybe. He keeps telling

me everyone is different. Everyone heals at

different rates. Shoulders can be I guess very

23

1 different. I don't know I quess is what he would 2 say. 3 So it is your intention though and you Q would like to continue to rehabilitate to get to a 4 5 point --6 Α Absolutely. 7 -- to get back to work? Q Yes. It is not healthy to be home. 8 No Α 9 offense if you like to be home, but not me. 10 Since you went on layup, have you engaged 11 in any activities by which you earn income? 12 No. Absolutely not. Α 13 Are you taking any medications for the 14 pain, prescribed medications? 15 Α No. I was taking steroids and Ibuprofen 16 or Tylenol. I will take NyQuil to sleep sometimes 17 because I can't sleep on my stomach. I can't bring 18 my arm up over my head the way I like to sleep. I 19 have to bring it down to my side. So a lot of 20 times I have problems with sleeping so I take 21 NiQuil and Melatonin to try to get me to sleep. 22 Do you have any appointments scheduled 23 with Doctor Portland at this time? 24 Α Oh, yes. I have one tomorrow.

```
1
               MR. PINELLI: Thank you. That is all the
2
     questions that I have, Mr. Chairman.
 3
               CHAIRMAN FORTUNA: Any questions?
               Hearing none, Vince.
 4
5
               MR. PINELLI: Thank you.
6
                         (Witness previously sworn.)
7
                       DANIEL SAMO, M.D.
     a witness herein, having been first duly sworn, was
8
9
     examined and testified as follows:
10
                          EXAMINATION
11
                       BY MR. PINELLI:
12
               Doctor Samo, would you please state your
           Q
13
     name for the record?
14
           Α
              Daniel Samo.
15
           Q
               Are your qualifications as a physician
16
     attached to the Board Exhibits?
17
           Α
              Yes, they are.
18
               Do you perform a function as a consultant
           Q
19
     to the Fund?
20
           Α
               Yes.
21
               In that capacity, do you review medical
           Q
22
     records, examine applicants and report to the
23
     Board?
24
              Yes, I do.
```

1	Q Did you follow that procedure with
2	respect to Ms. Guerin?
3	A Yes.
4	Q Did you file a written report with the
5	Board that is marked as Board Exhibit Number 2?
6	A Yes.
7	Q With respect to Ms. Guerin, did you
8	interview her?
9	A It was a tele exam so it was done under
LO	the pandemic regulations.
L1	Q In that process, did she provide you with
L2	information regarding her medical condition?
L3	A Yes, she did.
L 4	Q Was it consistent with the information
L5	you saw in the medical records you reviewed?
L6	A Yes, it was.
L7	Q Can you just summarize for us doctor what
L8	injuries she experienced and what stage of
L9	treatment she is at?
20	A Sure. She had an acute onset of pain
21	when she was lifting on a run. About two weeks
22	later she had got a MRI, which showed some partial
23	thickness tears in some of her rotor cuff tendons,
24	some arthritis and nossibly a labral injury in her

1 left shoulder.

her into therapy. He did not feel surgery was indicated and she attended therapy for quite awhile. She did get an injection which helped temporarily. But she really wasn't getting any better and so she was referred to Doctor Portland, another orthopedist, who felt that she did have a slap tear and at this point that surgery was indicated. She really didn't want to have surgery. She wanted to try to go back to work. I did clear her but she was unable to do her duties.

She also was seen by Doctor Shapiro, who is a spine surgeon, about her neck and he felt her symptoms were not coming from her neck.

So it was decided that Doctor Portland would go ahead and do her shoulder surgery, which was done at the end of November of 2019. Had repair of the labrum and decompression of the shoulder.

She has been making progress since then but it is slow, which is not atypical for shoulders. At the time of her last visit, she was still in PT and the plan was to go and move forward

1 to work conditioning, Work Hardening Program. 2 Doctor Portland has not determined yet Q 3 that she is at MMI; is that correct? 4 Α Correct. 5 Doctor, based upon that as well as her stated desire to try to return to work, would you 6 7 recommend case management given her current condition and treatment? 8 9 Yes, I would. It is certainly possible Α 10 that she will continue to improve. Shoulders are 11 notoriously long to heal and she is working hard at 12 it. It is certainly possible that she could have 13 significant improvement. 14 MR. PINELLI: Thank you, doctor, that is 15 all the questions I have. CHAIRMAN FORTUNA: Trustees, any 16 17 questions for Doctor Samo? 18 Hearing none, Vince. MEMBER MCPHILLIPS: Motion to grant. 19 20 MEMBER NANCE-HOLT: Second. 21 CHAIRMAN FORTUNA: Motion to grant by Trustee McPhillips. Seconded by Trustee Holt. 22 Trustee Soni. 23 24 MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	Is there a motion for reexam?
12	MEMBER MCPHILLIPS: Motion for reexam
13	consistent with Fund policy.
14	MEMBER MURPHY: Second.
15	CHAIRMAN FORTUNA: There is a motion for
16	reexam by Trustee McPhillips. Seconded by Trustee
17	Murphy. All in favor?
18	(Chorus of ayes.)
19	CHAIRMAN FORTUNA: Opposed?
20	Hearing none, motion carries.
21	I would entertain a motion for Findings
22	of Fact prepared in this matter.
23	MEMBER MCPHILLIPS: Motion to adopt the
24	Findings of Facts.

1	MEMBER NANCE-HOLT: Second.
2	CHAIRMAN FORTUNA: There is a motion to
3	adopt the Findings of Fact by Trustee McPhillips.
4	Seconded by Trustee Holt. All in favor?
5	(Chorus of ayes.)
6	CHAIRMAN FORTUNA: Opposed?
7	Hearing none, motion carries.
8	Based on the Findings of Fact and
9	conclusions of law made by the Trustees, the
10	Trustees have voted to grant you the benefit you
11	have requested.
12	You will be notified by mail of the
13	Findings of Fact and the Board's decision.
14	MS. GUERIN: Thank you, very much.
15	MS. BURNS: Edward Koranda, we are going
16	to proceed with your hearing, if you are available.
17	MR. KORANDA: Okay. Yes. Thank you.
18	MS. BURNS: Thank you, sir.
19	Doctor Samo, is this one of your matters?
20	DOCTOR SAMO: Yes, it is.
21	MS. BURNS: Thank you.
22	Let the record reflect that this is the
23	Duty Disability application of Edward Koranda, III,
24	EMT Firefighter, Fire Engine 34.

1	Would you both raise your right hands,
2	please?
3	(Edward Koranda and Daniel
4	Samo, M.D. were sworn to testify.)
5	EDWARD KORANDA
6	a witness herein, having been first duly sworn, was
7	examined and testified as follows:
8	EXAMINATION
9	BY MR. PINELLI:
10	Q Good afternoon, Mr. Koranda. I am one of
11	the attorneys for the Pension Fund. I will be
12	conducting this hearing.
13	I want to advise you of some preliminary
14	matters before we start evidence. There are
15	currently five trustees on the line. We may be
16	joined by a sixth; we'll see. But we have a quorum
17	so we can proceed with five trustees.
18	If you don't know you should know you
19	need the yes vote of at least five trustees in
20	order to receive this benefit. Are you aware of
21	that?
22	A Yes.
23	Q I see you do not have an attorney. Is it
24	your desire to proceed without an attorney?

- 1 A That is correct.
- Q 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 that the applicant is seeking. Do you understand it is your burden of proof?
- 7 A Yes, sir.

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- Q By way of procedures, I am going to start by asking you some questions. The board members may or may not have questions of you. Then I will call Doctor Samo to testify. If there is anything I don't ask him that you think is important for the Board to know, just let me know and you will be given that opportunity. Do you understand the procedures?
- 16 A Yes, sir.
 - Q Then we are ready to proceed. Please state your name for the record.
- 19 A My name is Edward Koranda, III.
- Q What is your current rank with the Fire
 Department?
- 22 A Firefighter EMT.
- Q What was your last assignment before you went on layup?

1 Α Engine 34. 2 You should have received a copy of Board Q 3 Exhibits 1 through 15 in advance of today's hearing. Did you receive them? 4 5 Α Yes, sir. Did you have a chance to review them? 6 7 I did, sir. Α Do you have any objection to their 8 Q 9 admission into the record in support of your 10 application? 11 Α No, sir. 12 MR. PINELLI: Thank you. 13 Mr. Chairman, I move for admission of 14 Board Exhibits 1 through 15, without objection from 15 the applicant. 16 CHAIRMAN FORTUNA: Admitted without 17 objection. 18 (Board Exhibits 1 through 15 were 19 admitted into evidence.) 20 BY MR. PINELLI: 21 Now, Mr Koranda, understanding that the 22 Board has the benefit of your sworn statement with 23 your application to review what happened to you, 24 could you please just summarize for us in your own

words where you were on May 22, 2019 and what

happened to you to cause you an injury that is the
basis of your application?

A Yes, sir. So we had gotten a call for a person who needed help off the bathroom floor. I forgot the exact -- going to lift the person off the floor in a tight bathroom, it was me and I believe my officer. I squatted for the lift.

As I started to lift the patient I had stopped. I felt a pain right away in my groin. At the time the officer told me to get the stair chair. I walked out and got the stair chair but I had to keep my left hand pressed on my groin as I was walking. This continued.

We were able to get back to the firehouse. The officer asked me if I was okay when he seen me walking off the rig. I told him, no, I feel pain.

We called the ambulance. The ambulance took me from quarters straight to MacNeal Hospital.

They did a CT and they found a lateral inguinal hernia and I think diverticulosis I believe.

I went to the doctor after this. They decided to do the hernia mesh implant. They did

two pieces of mesh. Instantly when I woke up from the surgery I was in pain. It has hurt ever since then to use the bathroom. I have gone through therapies.

It took seven months to convince the doctor to remove the mesh. On January 7th, we were going to remove the mesh. Ten minutes before the procedure, I was already in my gown, heparin shots IV locked, the doctor sits next to my wife and says he doesn't think it's in my best interest to remove the mesh. He wanted to do a triple neurectomy.

We had talked about that a long with chewing gum mesh removal. I was semi prepared for this. I figured as my doctor that is what he recommends this is what we are going to go with.

After this procedure, I am still in pain.

Now my groin is numb. Problems still using the bathroom. I am getting awoken up in the middle of the night when my bladder is full because I feel that pressure between the mesh and my bladder I am assuming and anxiety.

Q Let me just stop you there, before we get any further into your treatment. Back to the incident, though, had you ever had a problem with

1 your --2 Α Never. 3 -- abdominal area prior to this date? Q Never. I was playing racquetball every 4 Α 5 other day at the firehouse. I never had an issue whatsoever with a hernia, no. 6 7 And if I heard you correctly, you had the initial surgery on June 17th of 2019 following the 8 9 incident, right? Right. Yes, sir. 10 Α 11 You had the second surgery was just in Q 12 January of this year; is that correct? 13 That's correct. Α 14 And you're still, according to your 15 testimony, experiencing problems, symptoms, pain 16 and limitations; is that correct? 17 Α Yes, sir. That's correct. The more I 18 strain the more -- I have been in therapy four days a week. Two for pelvic floor and two for regular 19 20 therapy to try to regain some functionality. 21 Okay. Since you went on layup because of Q this incident, have you engaged in any activity by 22 23 which you earn income? 24 Α No.

```
1
               Are you currently taking any medications
2
     prescribed by a doctor for your pain?
 3
               Yes. I take 1200 milligrams of
     Gabapentin. 300 milligrams four times a day. And
 4
     Ibuprofen 800 milligrams and they gave me Norco as
 5
     needed.
 6
 7
               Do you currently have any appointments
8
     scheduled with your treating doctor?
9
          Α
               With the doctor, no, but I still have
10
     therapy outstanding. I did go for -- the last time
11
     I talked to him, he said there was really nothing
     else he could do for me. He didn't think the mesh
12
13
     removal was good where it was going to benefit me
14
     in any way.
15
               As of right now the mesh is still in
16
     place; is that correct?
17
          Α
               That's correct.
18
               MR. PINELLI: Thank you. That is all the
     questions I have of Mr Koranda.
19
20
               CHAIRMAN FORTUNA: Trustees, any
21
     questions?
22
               Hearing none, Vince.
23
               MR. PINELLI: Thank you.
24
                         (Witness previously sworn.)
```

1	DANIEL SAMO, M.D.
2	a witness herein, having been first duly sworn, was
3	examined and testified as follows:
4	EXAMINATION
5	BY MR. PINELLI:
6	Q Doctor Samo, please state your name for
7	the record.
8	A Daniel Samo.
9	Q And you are a physician; is that correct?
10	A Yes.
11	Q Is a copy of your qualifications as a
12	physician attached to the Board Exhibits?
13	A Yes.
14	Q Do you perform a function as a consultant
15	to the Fund?
16	A Yes.
17	Q In that capacity, do you review medical
18	records, examine or interview applicants and report
19	to the Board?
20	A Yes.
21	Q Did you follow that procedure with
22	respect to Mr. Koranda?
23	A Yes, I did.
24	Q Have you filed a written report with the

1 Board that is marked as Board Exhibit Number 2? 2 Α Yes. 3 Doctor, you did a teleconference with the Q applicant; is that correct? 4 5 Yes. This is a telephonic exam, yes. And was the information he provided you 6 Q 7 in that interview consistent with the information you saw in his medical records? 8 9 Α There was some issues the week Yes. 10 prior to the incident, which were in the medical 11 records. 12 What was the issue or what did it Q 13 indicate? 14 So for about a week prior to the event he Α 15 had been having some lower back and abdominal 16 pains. He had seen his personal physician and been 17 diagnosed with an urinary tract infection and 18 treated with antibiotics. And then two days before the event symptoms got worse and he went to the 19 20 emergency room and he had pain with urination and aching in his side. 21 22 He did have a CAT scan, which was looking 23 for kidney stones mostly, but did not find any but they did note the bilateral hernias so he had the 24

hernias present before the event.

At the time of the event, however, he had sudden pain at the sites of the hernia and then the rest of his history is that he continued to have pain. About three weeks after that he ended up seeing a surgeon who recommended surgery.

Unfortunately, he had a complication of that surgery where the ilioinguinal nerves can get trapped either by sutures, by the mesh or sometimes by scar tissue and cause pain.

Q Doctor, based upon his description of what he was doing prior to having the pain while he was at work, would that type of activity be a cause or contribute to the onset of acute hernia problems?

A Yes, I think it is what caused him to become symptomatic.

Q Now, with respect to his current condition, what did he indicate to you he's experiencing?

A So he currently continues to have significant amount of pain in his lower abdomen into his groin. It is worse when he urinates.

When he strains with stool. With any kind of

```
1
     physical activity; bending, twisting, all make it
2
     worse. He actually can't even wear anything that
 3
     is tight across his lower abdomen so he has
     difficulty wearing things with belts. All that
 4
 5
     increases his pain.
               Based upon your experience, would those
 6
 7
     symptoms impair his ability to perform his duties
8
     with the Fire Department?
 9
          Α
               Yes.
10
               MR. PINELLI: Thank you. That is all the
11
     questions I have of the doctor.
12
               CHAIRMAN FORTUNA:
                                   Trustees, any
13
     questions for Doctor Samo?
14
               Hearing none.
15
               MR. PINELLI: The record is complete.
16
               MEMBER MCPHILLIPS: Motion to grant.
17
               MEMBER HOLT: Seconded by Trustee Holt.
18
               CHAIRMAN FORTUNA: There's a motion to
19
     grant by Trustee McPhillips. Seconded by Trustee
20
     Holt.
21
               Trustee Soni.
22
               MEMBER SONI: Yes.
23
               CHAIRMAN FORTUNA:
                                   Trustee
24
     Conyears-Ervin.
```

1	MEMBER CONYEARS-ERVIN: Yes.
2	CHAIRMAN FORTUNA: Trustee McPhillips.
3	MEMBER McPHILLIPS: Yes.
4	CHAIRMAN FORTUNA: Trustee Holt.
5	MEMBER NANCE-HOLT: Yes.
6	CHAIRMAN FORTUNA: Trustee Murphy.
7	MEMBER MURPHY: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	I would entertain a motion for reexam.
10	MEMBER MCPHILLIPS: Motion for reexam
11	consistent with Fund policy.
12	MEMBER MURPHY: Second.
13	CHAIRMAN FORTUNA: Motion for reexam by
14	Trustee McPhillips. Seconded by Trustee Murphy.
15	All in favor?
16	(Chorus of ayes.)
17	CHAIRMAN FORTUNA: Opposed?
18	Hearing none, motion carries.
19	MEMBER MCPHILLIPS: Motion to adopt the
20	Findings of Fact.
21	MEMBER NANCE-HOLT: Second.
22	CHAIRMAN FORTUNA: Motion to adopt the
23	Findings of Fact prepared in this matter by Trustee
24	McPhillips. Seconded by Trustee Holt. All in

```
1
     favor?
2
                    (Chorus of ayes.)
 3
                CHAIRMAN FORTUNA: Opposed?
               Hearing none, motion carries.
 4
 5
               Based on the Findings of Fact and
     conclusions of law made by the Trustees, the
 6
 7
     Trustees have voted to grant you the benefit you
     have requested.
8
9
                You will be notified by mail of the
     Findings of Fact and the Board's decision.
10
11
               Thank you and good luck.
12
               MR. KORANDA: Thank you, ladies and
13
     gentlemen.
                             MS. BURNS: Trustee Soni, I
14
     know you indicated you have to leave at noon.
15
               MEMBER SONI:
                              Yes.
16
               MS. BURNS: Trustee Holt, what time will
17
     you need to leave?
18
               MEMBER NANCE-HOLT: I am heading to a
     dedication for one of our fellow members.
19
                                                  It's
     going to be soon. Probably around 12, 12:15 at the
20
21
     latest.
22
               MS. BURNS: We will lose a quorum if both
23
     of you leave.
24
               Let's start, Vince, as quickly as we can.
```

```
1
               Mr. Marconi, perhaps you can keep that in
2
     mind, that we may need to stop the hearing if we
 3
     lose our quorum.
               MR. MARCONI: Fully understood.
 4
 5
     willing to go as quick as I can. I think a lot of
     the evidence is contained in the packet so I am not
 6
 7
     going to rehash things.
8
               MS. BURNS: Thank you, sir.
9
               Mr. Inguanti and Doctor Peters, if you
10
     could raise your right hands.
11
                    (Mario S. Inguanti and Michael
12
                    I. Peters were sworn to testify.)
13
               MR. PINELLI: Counsel, would you agree to
14
     the introduction of Board Exhibits 1 through 13,
15
     without objection?
16
               MR. MARCONI: Absolutely.
17
               CHAIRMAN FORTUNA: Board Exhibits 1
18
     through 13 are received, without objection.
19
                (Board Exhibits 1 through 13 were
                received into evidence.)
20
21
               MR. PINELLI: Then that being said, I can
22
     proceed with calling the doctor, if you are okay
23
     with that?
24
               MR. MARCONI: That's fine.
```

1 MICHAEL I. PETERS, M.D. a witness herein, having been first duly sworn, was 2 3 examined and testified as follows: 4 **EXAMINATION** 5 BY MR. PINELLI: 6 Q Doctor, please state your name. 7 Michael I. Peters. Α You're a physician with qualifications 8 Q attached to the Board Exhibit? 9 10 Α Yes. 11 So did you review medical records, Q 12 interview the applicant and file a written report 13 with the Board? 14 Α Yes. 15 Q Doctor, can you tell us what medical 16 condition did the applicant experience? 17 Α Mr. Inguanti had symptoms consistent with 18 -- he had chest pain while he was rolling hose after doing hose testing at O'Hare, that was on May 19 29, 2019. 20 21 He was seen in the emergency department 22 and diagnosed with a non-ST elevation myocardial 23 infarction for which he had a coronary artery stent 24 placed for 99 percent stenotic coronary artery.

He has done very well with his exercise tolerance since then without developing angina, but he remains on dual antiplatelet therapy because of the stent, with Ticagrelor and aspirin.

Q Is there an indication that his treating doctor, Doctor Patel, has also placed certain restrictions on him, including no lifting more than 50 pounds and avoidance of exposure to extreme temperatures and smoke, et cetera.

A Yes.

Q Doctor, was it clear from the emergency room records and the medical records you reviewed whether or not his heart attack actually began while he was on-duty on May 30, 2019 rolling that hose?

A I think it's clear that he had a myocardial infarction while he was rolling hose at work on that day. There is a question or documentation from two other physicians that he had symptoms that might be consistent with angina the day before at home. But during my interview with Mr. Inguanti, he said that the way that was described was inaccurate. But the bottom line is the documentation of his MI was after the events at

```
1
     work the next day.
2
               Is that supported by the elevated enzyme
 3
     results?
 4
               Yes. He had two elevated proponent
          Α
 5
     enzymes in the Emergency Department.
               Okay. Based upon those current
 6
          Q
 7
     limitations, would he be able to perform his full
8
     unrestricted duties with the department?
9
               My opinion is that the platelet therapy
          Α
10
     he is on, specifically Ticagrelor, can lead to risk
11
     of hemorrhage.
12
               MR. PINELLI: That is all the questions I
13
     have of the doctor.
14
               MEMBER CONYEARS-ERVIN: I don't know if
15
     it was just me, the doctor's last statement froze
16
     on my end.
17
               MEMBER MURPHY: Mine, too.
18
               MS. BURNS: Doctor Peters, could you
     repeat, please?
19
20
               DOCTOR PETERS: The answer to the
     question about whether he could return to work?
21
22
               MR. PINELLI: Yes.
23
               DOCTOR PETERS: It is my opinion that he
     can't return to work because he's on dual
24
```

1 antiplatelet therapy which puts him at risk for 2 hemorrhage, specifically Ticagrelor. 3 MR. PINELLI: Thank you. 4 CHAIRMAN FORTUNA: Any questions for 5 Doctor Peters? 6 Hearing none, Vince. 7 MEMBER MCPHILLIPS: Motion to grant. MS. BURNS: Let's make sure before you go 8 9 forward that Mr. Marconi is comfortable proceeding 10 without putting any evidence on, other than the 11 doctor. 12 MR. MARCONI: Maybe I misheard Doctor 13 Peters, I thought he said the incident was May 29th 14 and I believe it was May 30th in the application 15 and in the records so maybe I misheard him but I 16 thought he said May 29th. 17 MR. PINELLI: Doctor, could you clarify 18 that? 19 DOCTOR SAMO: Yes, I am sorry for any confusion. The incident he described at his house 20 was May 29th. The incident that occurred while he 21 22 was rolling a line after hose training was on May 23 30th and that was when he was diagnosed with the 24 myocardial infarction.

1	MS. BURNS: Given that the exhibits have
2	been admitted into evidence, Mr. Marconi, are you
3	comfortable with the Board proceeding on a motion
4	to grant?
5	MR. MARCONI: Yes, I am. I am sure Mario
6	is on the phone and I think he understands.
7	MR. INGUANTI: I understand everything
8	that is going on.
9	MS. BURNS: Thank you, Mr. Inguanti.
10	There has been a motion to grant.
11	CHAIRMAN FORTUNA: There's a motion on
12	the floor. I need a second.
13	MEMBER MURPHY: Second.
14	CHAIRMAN FORTUNA: Seconded by Trustee
15	Murphy.
16	Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: And I am a yes.
4	Is there a motion for reexam?
5	MEMBER MCPHILLIPS: Motion for reexam
6	consistent with Fund policy.
7	MEMBER CONYEARS-ERVIN: Second.
8	CHAIRMAN FORTUNA: Motion for reexam by
9	Trustee McPhillips. Seconded by Trustee Conyears
10	Ervin. All in favor?
11	(Chorus of ayes.)
12	CHAIRMAN FORTUNA: Opposed?
13	Hearing none, motion carries.
14	MEMBER MCPHILLIPS: Motion to adopt the
15	Findings of Fact.
16	MEMBER MURPHY: Second.
17	CHAIRMAN FORTUNA: Motion to adopt the
18	Findings of Fact by Trustee McPhillips. Seconded
19	by Trustee Murphy. All in favor?
20	(Chorus of ayes.)
21	CHAIRMAN FORTUNA: Opposed?
22	Hearing none, motion carries.
23	Based on the Findings of Fact and
24	conclusions of law made by the Trustees, the

```
1
     Trustees have voted to grant you the benefit you
2
     have requested.
 3
               You will be notified by mail of the
     Findings of Fact and the Board's decision.
 4
 5
               Thank you and good luck.
               MR. INGUANTI: May I say quickly thank
 6
7
     you and God bless you all. I never thought I would
     go out this way. I am really disappointed but
8
9
     thank you.
               MS. BURNS: Before we lose the rest of
10
11
     the Trustees, could we just do the Guth matter?
                                                       Ιf
12
     you remember, the Guth matter was decided last
13
     month and in the ensuing weeks Vince circulated
14
     Findings of Facts and Conclusions of Law in the
15
     Guth matter, that document was in your Board
16
     portals.
17
               Is there a motion to adopt the Findings
18
     of Fact and the Conclusions of Law in the Guth
     matter.
19
20
               CHAIRMAN FORTUNA: Do you want me to read
     through the whole thing, Mary Pat?
21
22
               MS. BURNS: It is up to you, sir.
23
               CHAIRMAN FORTUNA: Does everybody
24
     understand? As a reminder, last month the Board
```

1 heard evidence on an application for an 2 Occupational Disease Disability benefit filed by 3 Andrew Guth. After the completion of the evidence, we 4 5 granted Mr. Guth the benefit that he sought. Since the last meeting, counsel has distributed proposed 6 7 Findings of Facts and Conclusions of Law. 8 Having had an opportunity to review those 9 findings in Mr. Guth's matter, I would need a 10 motion to adopt the Findings of Fact and the 11 Conclusions of Law. I would need a motion and a 12 second. 13 MEMBER MCPHILLIPS: One more time, Dan. 14 What motion are you requesting? 15 MS. BURNS: If you remember, Mr. Guth 16 last month was on the Agenda for a Duty Disability. 17 He then changed his application at the meeting to 18 an Occupational. There were no Findings of Fact prepared because he changed his application. 19 You made the decision last month to grant 20 21 him an Occupational Disease Disability Benefit. 22 All we need now is a motion to adopt the Findings

of Fact and Conclusions of Law in the Guth matter.

MEMBER MCPHILLIPS: I make a motion to

23

```
1
     adopt the Findings of Facts in the Guth matter.
                                                       Do
2
     I have a second?
               MEMBER NANCE-HOLT: Second.
 3
               CHAIRMAN FORTUNA: There is a motion by
 4
     Trustee McPhillips and there is a second by Trustee
5
     Holt.
 6
7
               Trustee Soni.
8
               MEMBER SONI: Yes.
9
               CHAIRMAN FORTUNA: Trustee
10
     Conyears-Ervin.
11
               MEMBER CONYEARS-ERVIN: Yes.
12
               CHAIRMAN FORTUNA: Trustee McPhillips.
13
               MEMBER McPHILLIPS: Yes.
14
               CHAIRMAN FORTUNA: Trustee Holt.
               MEMBER NANCE-HOLT: Yes.
15
               CHAIRMAN FORTUNA: Trustee Murphy.
16
17
               MEMBER MURPHY: Yes.
18
               CHAIRMAN FORTUNA: And I am a yes.
19
               MS. BURNS: Trustees, if we lose Trustee
20
     Soni and Trustee Holt, we lose a quorum, right?
21
               CHAIRMAN FORTUNA: Yes.
22
               MEMBER NANCE-HOLT: I have to go. I am
23
     here at the dedication.
24
               MS. BURNS: Thank you, very much, Trustee
```

```
1
     Holt.
2
                (Member Holt left the conference call.)
 3
               MS. BURNS:
                           Trustee Soni, are you able to
     stay for a little bit as we discuss the audit and
 4
 5
     actuary report?
               MEMBER SONI: I am already ten minutes
 6
 7
     late for my other meeting. Is there anything
8
     pressing?
 9
               MS. BURNS: Usually those reports sort of
     fit in with the City's Financial Statements.
10
11
               MEMBER SONI: From my side Steve and I
12
     have spoken about what the City needs and we're
13
     getting the information. We are gathering things.
14
     There's nothing else really pending on our side,
15
     unless you have any concerns that I don't know
16
     about.
17
               MR. SWANSON: We just need the Board to
18
     accept the report.
19
               MEMBER SONI: Can I give my vote that I
20
     accept it because I already looked through the
21
     financials?
22
               MS. BURNS: Technically, no, we have to
23
     have a quorum.
24
               MR. SWANSON: I can try to see if I can
```

```
1
     get Trustee Martin.
2
               CHAIRMAN FORTUNA: We are going to lose
 3
     Trustee Soni anyway.
 4
               Thank you for staying on and we're going
 5
     to try and get someone else on the phone.
                (Member Soni left the conference call.)
 6
 7
               MS. BURNS: We are going to try to get
     Trustee Martin on the phone.
8
9
               We could start with the actuaries, even
10
     though we don't have a quorum and we may not be
11
     able to take action.
12
               We can start the presentation on the 2019
13
     actuarial report, if that is okay with, Mr.
14
     President.
15
               CHAIRMAN FORTUNA:
                                   Yes.
16
               MS. BURNS: Matt, we are going to
17
     proceed. We don't have a quorum at this time. If
18
     you could begin to walk the Trustees through the
     Actuarial Report and then if we get a Trustee to
19
     join us we will take action.
20
21
               MR. STROHM: Thank you. We want to thank
22
     you for the opportunity to be your actuary.
23
     is the first time meeting with the Board since we
24
     were hired.
```

As being our first valuation, one of the first steps that we did as part of our transition process was collect all the data from last year's valuation, the 2018, and attempt to replicate that.

I want you to know that process went pretty smoothly. We had a really good replication so there were really no issues that were uncovered from that, that is some good news there.

With that, we have just prepared a short presentation on our valuation. I will walk you through the slides and feel free to ask questions as we go along. I know you had a pretty busy morning so far so I will try to go through it with some level of expeditiousness here.

On Slide 2, we'll start with the Summary of the Results and then look at some of the details. Again, the full Actuarial Report has a tremendous amount of details in it, but we will save that for some bedtime reading for everyone.

I am going to move to Page 3 to the Purpose of the Valuation. This is actually a snapshot in time of the funded status of the plan.

When we look at, as of December 31, 2019, we report what the actuarial assets are. As you

know those are a different measure than the market value of assets. It is a number that includes some smoothing. So the peaks and the valleys of the market value don't necessarily find their way into some of the calculations like the funded ratio so that is one purpose.

Another one is to calculate the liability so we focus on the present value of benefits earned to-date, benefits expected to be earned in the future, and use that as a measure as well.

Clearly, and particularly now with the funding mechanism that is in place in statute, one of the important things that we do is we calculate the statutorily required contribution that is in the statute, that is the one based on the projection of the 2055 and the 90 percent target. That amount gets compared to what we call an Actuarially Determined Contribution or the ADC.

The ADC is really like a benchmark and it's based on the Board's funding policy. We understand this money is the money going in, but we want to have some kind of comparison or benchmark to compare that to and that is what that is.

It consists of really two components.

Essentially one is the normal cost of benefits,

that is the benefits that are being earned in the

upcoming year, and then also a component to

amortize or pay down unfunded liability.

You have the unfunded liability. You want to pay part of that. You also want to pay the benefits that are being earned to-date, that is what you want to use as your benchmark.

year's valuation. We compare it to this year.

What is the difference from year to year? If there is anything interesting, we can report on that.

And then also we do some information for the Financial Statement so we report a pension

liability for the Fund's Financial Statements. As you are aware there is also now the retiree medical subsidy is back in limited form based on the Underwood lawsuit. So there's a nonpension or an OPEB liability associated with that, that gets reported on the City's Income Statement and also the Fund's Financials. And we have that, that's not covered here, but that is another item.

On Page 4, these are the highlights of the valuation. As you know, the market value of

assets returned nearly 20 percent. That is a Segal calculation that should be pretty consistent with the investment consultant.

So a 20-year return for calendar year 2019 was really good compared to the expected return. However, when we are looking at actuarial smooth assets, a lot of that 20 percent gets deferred into the future for future recognition, which is good. Then we are bringing in some other components of prior gains and losses.

The net effect of that was roughly about a 6 percent return, if you looked at last year's actuarial value to this year's actuarial value.

Roughly about a 6 percent return which represents a pretty small loss relative to the 6.75 percent assumption.

How does that translate to the funded ratio? The funded ratio is the Fund's liabilities or assets divided by liabilities.

When you look at the numerator being the market value of assets, the ratio there actually increased because of the good return so it was 16.8 percent last year. Now it is up to 18.4 percent this year.

On the actuarial value, it stayed kind of constant. A little bit of a decrease from 18.36 percent to just under 18.2 percent on an actuarial basis.

Again, I mentioned the contributions.

There is a little bit of a schedule here of the different contributions. So for 2019, so that is the contribution for tax levy year 2019, this was the last amount of the fixed contributions that were in the statutory schedule before the 90 percent target kicks in, that amount was 245 million. The actual amount that was paid in 2020 on behalf of the 2019 year was about 255.

So in the 2020 column you now have the 371 million represents the first of the numbers that were calculated based on the 90 percent target, that was calculated in last year's valuation for 2020 payable in 2021.

We have calculated the ADC to compare to that amount on this valuation, which is about 466 million and again it is about 95 million dollars higher.

Again, the reasons are things like the 371 was based on a 90 percent target. It's based

on projections out to 2055. Whereas, the ADC targets 100 percent of the liability and it is a slightly smaller amortization period of 30 years.

Also there's an open group projection that goes into the statutory remark that reflects the fact that new people coming into the system are Tier 2 and that that type of calculation is not really part of the ADC, that is based on the snapshot valuation date. Those are some of the things that contribute to there being a contribution deficiency.

Lastly, on this page, the number that is calculated based on the 2019 valuation, the one we just did, is a 2021 contribution to be paid in 2022 of 367 million dollars. That is slightly less than what was reflected last year primarily due to the fact that of the 20 percent market return that amount does get reflected as you go out and project into 2055 so there is a slight increase in the required contribution since last year and that is due to the good return.

I am going to move to Slide 5, if there is no question on the Summary.

MEMBER MCPHILLIPS: You said the primary

cause of going from 371.3, can you go back to that

screen, in 2020 and the lower amount in 2021 of

367.1 was due primarily to the market return in

2019?

MR. STROHM: Correct. That is absolutely correct. There is several things in there that make it different, not least of which is the change of actuary and different systems. The primary driver is the good return.

MEMBER MCPHILLIPS: Okay.

MR. STROHM: 5 is an overview of the membership. And I apologize the last slide kind of the numbers went from left to right and now they are backwards. It is going to be the most recent information is on the left now.

The number of active members. We're showing actives in retirees and beneficiaries. The actives are up a little by about 3 percent so more actives in the Fund this year.

If you look at the average age and average service, they are both down by about a year, which means it is a younger group compared to last year so a younger group. Looking at the retirees and beneficiaries. More retirees, too,

1 this year. About a 2 percent increase in retirees.

benefits.

Another interesting number there is the average monthly benefits, which is up to 5,662.

That represents roughly a 3 to 3 and a half increase over last year's average of the retiree

On Page 6, these are the highlights of the liability side in talking about the liabilities, the assets and the unfunded liability.

So last year's liability, which was 12-31-18, was

11 6 billion 156 million, that increased to about 100
12 million dollars so 6 billion 256.

As noted I think on the Summary slide, which I didn't go over, there was a little demographic gain on the liability side. Meaning that just going from last year to what was expected this year was slightly higher than 6.25 billion, but the actual experience of the Fund was more favorable than what was assumed so that was a small gain there that resulted in the 6 billion 256 liability.

And then you add the actuarial value of assets, which we talked about before. They stayed relatively constant. Again, with deferring some of

the gains from the past year, but then recognizing
gains and losses from prior years.

So, again, not much increase in the unfunded 5 billion to 5.1 billion this year and not a lot of movement on the funded ratio. 18.36 compared to 18.18.

Next we are going to look at a few graphs and that will be really it actually.

So, on Page 7, is a graph of required contributions from the employer; the City. What you're looking at is like a split. So you have 2019 is the valuation date. So numbers prior to 2020 represent historical values and then 2020 and going forward represent future values.

In green, you have historical contributions and as noted going from 2019 to tax levy year 2020, you have that increase. Again, that is really just due to the 90 percent target coming into play and the last of the fixed payments in that schedule was due for 2019.

Again, as I mentioned, you see from 2020 the 2021 a small down take attributable primarily to that return and then contributions beyond 2021 are calculated to be a low percentage of payroll.

As payroll is projected to increase, those dollar amounts are also expected to increase.

I will point out, too, that later in the document, in the appendix, which we won't go through, I think on Page 15 is a full schedule of the entire projection. Page 17 is a full graph of all the projected contributions.

On 16, there's a schedule of the funded ratio, but on Page 8, which we will move to right now, this is another short graph of historical compared to the next five years of funded ratios.

Again, this is on an actuarial value basis but there's been a slight increase in the funded ratio. You went from last year to this year 18.6 to 18.18, but as the big investment gain from last year starts working its way to the smoothing mechanism and the assets and the higher contributions are coming in from the City, that value is expected to improve. So next year's expected actuarial funded ratio will jump up to 19.45 percent to continue to improve as the contributions are coming in.

The last slide that we wanted to talk

about is a look at the cash flow. So, again, we got some history and some projections. The red lines represents historical contributions and admin expenses so effectively outflows of the plan. purple triangles to the left of 2019 represent total contributions coming in. Not only is that the employer money but also the member money that is coming in as well.

You can see with the red line higher than the purple in the last several years there's been a negative net cash flow.

Starting now with 2020 with more -- the first 90 percent target contribution coming in and the member money, you are going to look at now going back basically a cash positive position starting in 2020 and at least for the next several years. Benefit payments are going to continue to increase but so will those contributions relative to payroll. So some good news there with a positive cash flow to be expected starting next year.

As I mentioned, there is some slides beyond this. A little bit of background which we won't go over, and I know that the time is tight

today, but if you do get to a meeting where there
is maybe a lighter agenda and you are looking for a
refresher on what is an actuarial liability, what
are all the assumptions, how does everything work,
feel free to tell Steve and we can come back and do
some kind of a presentation, an educational
presentation.

So I will apologize for throwing around some of the vernacular that we use, but I did want to be respectful of everyone's time and move through this pretty quickly.

Let me know if there is any questions on this material or anything else.

MEMBER MCPHILLIPS: I have a question.

This is Tim McPhillips one of the Trustees.

Probably the most important number in my mind is what we are going to get next year. That used to be based on just a static amount or based on previous payroll, but now it's based on actuarial projections.

I was looking at what was projected last year and I think for 2021 we were projecting, this was the previous actuary, 378 million dollars.

You're now projecting 167 million dollars. The

1 total is about 11.5 million dollar difference. Wе 2 are going to get less compared to what was 3 projected last year. You had stated that was because of the market return in 2019? 4 5 MR. STROHM: Correct. MEMBER MCPHILLIPS: When I look at the 6 7 GRS actuary statement from last year, every year the amount goes up. It just keeps going up and up 8 9 until 2055. That is the same thing with yours, 10 yours goes up every year from 2020 all the way to 11 2056 it goes up. 12 MR. STROHM: Right. 13 MEMBER MCPHILLIPS: Except for 2021 it 14 goes down and then it goes back up. Can you kind 15 of help me understand that? 16 MR. STROHM: Yes. So if you go back to 17 2018, 12-31-18, when GRS did that valuation, they 18 used the 2018 liability and projected that forward to -- it is an open projection so they had a model 19 20 that they were bringing in. 21 So as the software expects people to

retire, maybe terminate with a deferred benefit and
move through the workforce, it is bringing in new
entrants and skipping a level of active population

going forward. But it does project the liability out to 2055 and that is one part of the calculation.

Another part is that they look at the assets as of 12-31-18 and they are looking for -- beyond the final fixed payment, they are looking for the first payment for 2020 that would come in during 2021 but call it the 2020 payment. That as a level percentage of payroll -- I guess, the other factor in there is active member payroll and how that progresses over time.

made for 2020 such that it would increase -- I should say it would earn investment return at 6 and 3 quarters starting at 12-31-18 over time until when it got to 2055. The ratio there would be 90 percent. It would improve from 18 percent up to 90 percent. That was the calculation that they did and came up with the 371 million number and then the 378 or 379 number is basically that number increased that payroll. Payroll probably increases around maybe 3 to 3 and a half percent. It would be that same increase in payroll. However the payroll moves is how those dollars moved up.

So when we do this year's valuation we do the same thing, except we're now a year later and we now have a higher starting point of an asset value. At 12-31-19, we have a higher value of assets than what they had, what they used, at 12-31-18 because of that return. That is going to also earn the 6 and 3 quarters over time.

It's going to require now less future money to get to that 90 percent target because of the good return during 2020.

Again, I mentioned there is some other nuances and one of those is the projection of payroll. We got pretty close to their projection of payroll but not exact so the shift of how that progression and the increases each year might be slightly different and that when it tilts a little bit in dollar amounts it might contribute to being like 11 million dollars less. Part of it is going to be the projection of payroll. A lot of it is due just starting with more money at 12-31-19 then their projections predicted when they did that.

MEMBER MCPHILLIPS: I am not quite sure that answered my question. Maybe I can ask it a different way. Is there a difference in inputs

then what GRS is saying or a difference in 2 assumptions or maybe both?

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MR. STROHM: There is no difference in assumptions. The difference in inputs are -- the census data has been updated for a year so we have a year of experience. As I mentioned before, there was a small gain on liabilities so the liability projection is lower. The asset value is higher. So looking at their one year projection to get to 12-31-19 and then the actual values that were used, there were gains on both of those things that would reduce the future requirements going forward.

MEMBER MCPHILLIPS: So the statutory contribution drops for next year but then it starts to ramp back up again?

MR. STROHM: Right. Instead of it being a level amount, we have this payroll that is -- I think it is like 400 million dollars. I can't remember from the earlier slide. 450 million dollars. That is projected to increase every year.

We're calculating what amount now as a percentage -- what amount now that could increase at the same rate as payroll through time. would make the assets grow faster than the

1 liabilities and improve the funded ratio from 2 18 percent to 90 percent by 2055.

Because of the positive affect on the assets and the liabilities from last year's valuation to this year, that dollar amount needed went down slightly.

Again, so next year there could be unfavorable return on assets. There could be some unfavorable demographic experience. And the 367 is the number we feel is the number that the City can budget.

Next year's valuation is we are going to come in and calculate what the 367 should be. That number will likely be different just because of experience. It could be up or down. Right now the market is down so I expect the 376 will increase when we come back for next year's valuation just because of how the market has been.

MEMBER MCPHILLIPS: You felt that is what the City could Budget?

MR. STROHM: Just because of the timing.

So the 371 is the number that is calculated from

last year's valuation. It is calculated in like a

12-31-18 valuation but it is for 2020, the 2020

1 budget year or the 2020 tax levy year, and it is 2 paid in 2021. 3 We didn't attempt to change that number. Our calculations were to calculate the requirement 4 5 for the next year which was 2021. Even though 2020 the amounts that go into the 371, those amounts 6 7 haven't been paid, we're not attempting to change that number because that is what has been reported 8 9 and what is being relied on for the contributions. 10 The number that we are calculating is the number 11 that is due for 2021 payable in 2022. 12 Every year there is going be that true-up 13 on that calculation and as you would expect as we 14 get closer and closer to 2055 there is going to be 15 more volatility because theoretically that boggy at 16 2055 is not going to change. The 90 percent is not 17 going to change. But the amount of time to smooth 18 out experience will change; a little bit shorter. MEMBER MCPHILLIPS: Okay. No further 19 20 questions. Anyone else? 21 MEMBER MARTIN: Just for the record, I 22 am, Trustee Martin, on the line. 23 MS. BURNS: Thank you, Trustee Martin. 24 CHAIRMAN FORTUNA: Are there any more

1 questions? 2 We are going to have a motion to adopt 3 what, Mary Pat? MS. BURNS: If somebody would be willing 4 5 to make a motion to accept and file the 2019 6 Actuarial Report prepared by Segal. 7 MEMBER MCPHILLIPS: What would be the 8 implications if we waited until next month? Does 9 this holdup the City's process? 10 MR. SWANSON: We are required to file our 11 reports with the City by June 30th. I believe it's 12 part of the Pension Code so we wouldn't be able to 13 meet that deadline. And we are required to file it 14 with the Department of insurance as well. 15 MS. BURNS: I think it's more the 16 Department of Insurance. 17 MEMBER MCPHILLIPS: Does any other 18 trustees have concerns that we are dropping from what was scheduled under the previous Actuarial 19 20 Report? Dropping the 11.5 million dollars, what we're going to be getting next year. I'm sorry, 21 22 the year after. 23 MEMBER MARTIN: I have a concern, but I 24 think it was pretty much explained, Trustee

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1
     McPhillips. I just might try to provide us a
2
     synopsis that the actuaries could agree with or
 3
     disagree with. Would that be okay?
               MEMBER MCPHILLIPS: No, I don't need
 4
 5
     that.
            Because to be honest, I think we'll be here
     forever if you try to do that.
 6
 7
               MEMBER MARTIN: I'd like to ask a
     question, Mr. President.
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 9
               MEMBER MCPHILLIPS: Go ahead.
10
               CHAIRMAN FORTUNA: Go ahead, Tony.
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               MEMBER MARTIN: So I guess my concern and
12
     the concern is the change in the dollar amount, but
13
     the dollar amount is determined by the --
     essentially the dollar amount was determined by the
14
15
     performance of the Fund over that period of time.
16
     Would that be it in a nutshell? Does that change
17
     the contribution to the actuary?
18
               MR. STROHM: The dollar amount of
     contribution goes down just because it reflects the
19
20
     experience from the good experience during 2019.
21
               So that investment gain grows over time,
     that wasn't factored in to the 2021 amount that was
22
23
     from last year's projected value. It assumed a
24
     6 and 3 quarter percent return. The fact that it
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1 was 20 percent that investment gain decreases 2 future contribution requirements. 3 MEMBER MCPHILLIPS: I have another question. Is it possible that an actuary can use 4 5 sound actuary practices and come up with a number that is 11 million dollars different or is it just 6 7 because of the additional returns that occurred in 8 2019? 9 MR. STROHM: So I guess could someone 10 come in and use information of 2019 and come up 11 with something that is either 378 or 356, like a 11 million dollar swing? 12 13 MEMBER MCPHILLIPS: Sure. 14 MR. STROHM: That would be a pretty big 15 swing actually for one year just from the actuaries 16 projection and then not factoring in experience. 17 MEMBER MCPHILLIPS: I guess where I 18 struggle, and this could be my limitations, typically large gains are smoothed out and here we 19 seem to be taking a big gain in 2021 and then we 20 are ramping up again 367 to 376 and then to 386. 21 22 Can you help me understand that? 23 MR. STROHM: The increase from 367 to

376, 386, 398 and so forth, that is just because

24

our starting point for 2021 is calculated at a level percentage of payroll which is expected to increase. That is a budgeting mechanism which allows the contribution to align with payroll and that is where those increases come from.

But for each year we will do a valuation and so next year's valuation we will calculate -the 367 is done, that is going to be hopefully accepted with this valuation. Next year we are going to come in and use actual data at 12-31-20, the year we're in right now, and calculate what the requirement is for what is now 376. That is an estimate but we are going to calculate that next year and that will factor in experience during calendar year 2020 whether good or bad.

The 376 will likely change upwards or downwards, that is just the nature of this projection and how it's done.

MEMBER MCPHILLIPS: Again, in terms of the two criteria, the assumptions and then the inputs, the big input that has changed has just been the returns for 2019, no other assumptions have changed?

MR. STROHM: No other assumptions have

1 changed. 2 MEMBER MCPHILLIPS: No increases? 3 MR. STROHM: No. All the same 4 assumptions. 5 CHAIRMAN FORTUNA: Any other concerns here? 6 7 MEMBER MCPHILLIPS: No. I just can't 8 comprehend why the number changed that much and 9 then ramps back up the year after that. 10 assumptions have changed. No inflation 11 assumptions. No wage growth inflation changes. Ιt 12 is just a matter of a change -- not a change but a 13 difference in 2019 returns. 14 I just can't get my mind around it. No 15 offense to you, it could be me. It just doesn't 16 seem like a good explanation. 17 As you understand, my fellow Trustees, 18 this is very important because this determines how much cash and input we get from the City. A 11.5 19 million dollars swing under a 17 percent funded 20 21 Pension Fund is concerning. 22 Anyone have any input on that or concern 23 or is it just me? Any other Trustees? No. 24 CHAIRMAN FORTUNA: Mary Pat.

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               MS. BURNS: Again, it would be a motion
2
     by someone to accept and file the 2019 Actuary
3
     Report as prepared by Segal.
               CHAIRMAN FORTUNA: Is there a motion?
 4
               MEMBER MURPHY: Motion.
 5
 6
               CHAIRMAN FORTUNA: There's a motion by
7
     Trustee Murphy.
8
               MEMBER MARTIN: I will second it.
9
               CHAIRMAN FORTUNA: Seconded by Trustee
              All in favor?
10
     Martin.
11
               MEMBER MARTIN:
                               Yes.
12
               MEMBER MURPHY: Yes.
13
               MEMBER CONYEARS-ERVIN: Yes.
14
               CHAIRMAN FORTUNA: I am a yes.
15
               Opposed?
16
               MEMBER MCPHILLIPS: I am opposed as of
17
     now.
18
               CHAIRMAN FORTUNA:
                                   The motion fails.
19
               MEMBER MARTIN: Point of order, just as a
20
     question, Mary Pat.
21
               MS. BURNS: Yes, sir.
22
               MEMBER MARTIN: Since that last motion
23
     didn't involve the expenditure of funds, it does
24
     reflect the amount of income coming into the Fund.
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1
     But since it doesn't involve the expenditure of
2
     funds, does that motion then fail?
 3
               MS. BURNS: That is a good question.
                                                      Ι
 4
     guess we can take it that the motion passes because
 5
     the majority of those present, if we did a roll
     call vote would have voted in favor of it. We
 6
 7
     didn't do a roll call, but if we did a roll call,
     we could probably get it to pass because there
8
9
     would be four in favor and one opposed.
10
               MEMBER MARTIN: Mr. President, would you
11
     like to do a roll call vote on that?
12
               MS. BURNS: We have five people. It
13
     would be four to one and the vote would pass
14
     because it doesn't technically involve an
15
     expenditure of money. It involves the acceptance
16
     of an Actuarial Report.
17
               Thank you, Trustee Martin, I think that
18
     is actually correct.
               CHAIRMAN FORTUNA: Then I would have to
19
     entertain a whole new motion.
20
21
               MS. BURNS: Yes, sir. It would be the
22
     same motion to accept and file the 2019 Actuary
23
     Report. If Trustee Murphy would be willing to make
24
     that motion again --
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1
               MEMBER MURPHY: I can make the motion to
2
     accept and file the Actuarial Report.
 3
               MS. BURNS: And, Trustee Martin, if you
     would be willing to make a second.
 4
 5
               MEMBER MARTIN: Second.
               MS. BURNS: Then if you would call a roll
 6
7
     on that.
8
               CHAIRMAN FORTUNA: I am going to take a
     roll call. Trustee Martin.
9
10
               MEMBER MARTIN: Yes.
11
               CHAIRMAN FORTUNA: Trustee Murphy.
12
               MEMBER MURPHY: Yes
13
               CHAIRMAN FORTUNA: Trustee
     Conyears-Ervin.
14
15
               MEMBER CONYEARS-ERVIN: Yes.
16
               MS. BURNS: Thank you.
17
               CHAIRMAN FORTUNA: I am a yes.
18
               Trustee McPhillips.
19
               MEMBER MCPHILLIPS: No.
20
               MS. BURNS: So that motion will pass for
21
     accepting and filing the 2019 Actuarial Report
     because it is a four to one vote of the trustees
22
23
     present.
24
               Thank you, Trustee Martin.
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1 Now we will get back to the audit report.

MR. THOMPSON: I am going to present today these are the draft audited Financial Statements for the year ended December 31, 2019.

We expect to issue the final Financial Statements on Monday, June 22nd, without any significant changes from the draft that I am presenting here today.

One item I wanted to point out that if

you were unable to finalize your Actuarial Report,

I wouldn't be able to issue your audited Financial

Statements so I just wanted to point that out.

These Financial Statements, looking through, I am going to go through them pretty quick. Maybe two or three minutes.

The first item is on Pages 1 through 3 of the Financial Statements. This is the independent auditors report from Legacy. This is an unmodified or a clean opinion. It states that everything is fairly stated in these Financial Statements.

There is, on Page 2, an Emphasis of

Matter Opinion. This has to do with that

reinstatement of the retiree health insurance

supplement. So we have had to go back to the old

three column combining statement presentation that
we had a couple of years ago. As a result of that,
we had to add some additional footnote disclosures
regarding the health insurance supplement as
required supplemental information in the back of
the Financial Statements.

I am going to go through and hit the numbers that will be on Page 4a. You will be able to see my cheat sheet notes, that's fine.

The Fund had just over 1.236 billion in assets as of 12-31-19 versus 1.135 billion from the prior year. The bulk of those assets are made up of the Fund's investments of 887 million and receivables of 268 million. The bulk of that is the employer contribution receivable from the City. There is also investment income and a few other receivables in there.

Finally, we have the collateral held for securities on loan of 80 million, that number is offset by the payables. Those two numbers zero out. Once we take the total assets, less the total liabilities, there is also some payables here of 6.9 million. We are left with a Plan Net Position, that is kind of the bottom line of what the plan is

worth as of December 31, 2019 of 1 billion 149
million versus the prior year 1 billion 35 million
so we had an increase in total Plan Net Position of
114 million.

We can see that on the next page. Here's a condensed statement in changes in Plan Net

Position. Total additions 464 million for '19

versus 237 for '18. Big increase there.

The employers contributions, those are statutorily based, 155 million for '19 versus 279 for '18. The plan member contributions holding steady, up a little bit, about 1.6 from 45 million to 46 million. Big change here.

Obviously, the Fund had very good investment performance for '19. Positive net investment income 160.6 million versus the net investment loss from '18 of 58 million in the deficit.

A little bit of securities lending and other income makes up our total additions, total deductions, 350 million for '19 versus 327 million for 2018. Benefit payments 342 million. Those obviously have increased. We expect those to increase every year with the COLA, with new

increase in annuitants and the new annuitants coming out of the rolls, generally higher level then leaving the rolls.

Administrative expense is the cost to run the plan right around 3.2 million. It's been that number for probably the past ten years or so, that number is holding steady.

This litigation settlement you see right here, that is the payment of those retro amounts on the Underwood case so the people that have applied to get that retiree health insurance subsidy. I believe that was primarily for the amounts that were due for 2017, that is what the plan paid in 2019 for that amount.

Refunds of contributions that seems to waiver right around the 3 and a half, 4 million mark every year.

When you take the total additions, less total deductions, the plan made, it ended up with a positive net position increase of 114 million for '19 versus a total loss last year of negative 90 million.

Continuing on to the next couple of pages, Page 4d, this is -- I know the actuary just

hit all this stuff. I just want to point out this
is where it appears in the MD&A.

This is the GASB 67 Employer Net Pension Liability. We can see here the 5.392 billion dollars. This is the amount that the City will recognize in their Financial Statements for the plan's underfunded status. So we have the percentage of the total pension liability of 17.5 percent.

The next page after that, this is new, this is the City's OPEB liability. This is the retiree health insurance supplement piece where the \$21 or \$55 a month, depending on whether or not they are Medicare or non-Medicare, is paid per month for annuitants for that certain subset.

The actuary did a new actuarial valuation for 2019 to go and give us the information for reporting in the plan. So we can see here as of 12-31-19 there was a total pension liability of just a little over 10 million dollars for this liability. There is no assets that have been put into this plan. It is entirely funded on a pay as you go basis, that is why this number is zero here. The City then has a Net Pension Liability that they

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1
     will recognize on their books as that 10 million
2
     dollars.
 3
               Continuing after that, we have all of the
     detailed Financial Statements.
 4
 5
               MEMBER MCPHILLIPS: Can I interrupt a
     second? Can you go back up to that unfunded
 6
7
     liability?
               Mary Pat, this question is for you. I
8
9
     know you might be covering this later in Legal but
10
     maybe this would be a good time to touch on it.
11
               Is it possible Judge Cohen might make
     additional changes that would cause this to
12
13
     increase in terms of decisions on this health care?
14
               MS. BURNS: It is always possible because
15
     the action is not completed. We don't anticipate a
16
     change in this, but the issue that is up on appeal
17
     is whether or not the Fund has to provide a
     healthcare plan. But, yes, it is possible.
18
               MEMBER MCPHILLIPS: Not probable it
19
     doesn't sound like.
20
21
               MS. BURNS: I would say probably less
22
     likely than more likely.
23
               MEMBER MCPHILLIPS: Is that jump from 8.7
24
     million to 10 million is that -- again, I
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apologize, I don't recall. Is that related to a
decision Judge Cohen made or does that have to do
with some other assumptions, do we know?

MR. THOMPSON: That is just the growth of the liability over the course of the year. The actuary can explain it a lot better than I could.

They calculated what the liability was as of the beginning of the year and then they backed it into the numbers as of the beginning of the year.

I am not as good as an actuary at explaining some of these items but that is primarily just the different measurement points of that liability of whatever happened during the year as far as interest on the liability or service costs or some of these other things that move that number around.

MEMBER MCPHILLIPS: That is what I am trying to understand, if it is just additional benefits have been added or just the calculation of benefit that hasn't changed? That is okay, thank you. I appreciate it.

MR. THOMPSON: I think in the back here in the RSI, we can see the details of how the

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1
     number changed here. It says 1.36 million on here,
     the service costs, the interest on that liability
2
 3
     number, the differences between the expected and
 4
     the actual experience. They had some assumption
 5
     changes.
               MR. STROHM: That is the discount rate
 6
7
     that changed, that decreased quite a bit, that
     drove the liability.
8
 9
               MR. THOMPSON: That number was about 2.74
10
     I think.
11
               MR. STROHM: Right. That moved that
     quite a bit. Does that answer your question?
12
13
               MEMBER MCPHILLIPS: Continue. Thank you.
14
               MR. THOMPSON: After the MD&A, these are
15
     the actual detailed Financial Statement schedules
16
     on Pages 5, 6 and 7. I am not going to go through
17
     those in detail.
18
               Starting on Page 8 is the footnotes to
     the Financial Statements. There's been two items
19
     of note in the footnotes of the Financial
20
     Statements that I just wanted to point out. Other
21
22
     than these two items, everything has been updated
23
     to all the current year presentation. The current
24
     numbers as far as investments there are lots and
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1 lots of investment disclosures. All that updated
2 to the current numbers.

The two items I wanted to point out is there is a new footnote, Number 10. This is all in regards to required disclosures under GASB 74 for that health insurance supplement plan.

This goes and describes the plan. It gives a little detail of what has transferred, that kind of kicked it on, and has all of the rest of the information regarding the plan in here.

So this is brand new. I want you to take a read through this particular footnote. I am not going to go through it in detail. I believe the actuary probably covered it and I will just be doing a worse job of explaining that stuff.

Matt brought up the discount rate of 2.74 percent because there's no assets in the plan, that is what they used to measure it. They measure the entire liability.

I like this particular table because it actually shows that 1 percent increase and decrease. So you can see how much liability will move just kind of based on the little assumption rate change shows that sensitivity. So that is

1 footnote 10. 2 One other item that I wanted to bring up 3 in here is the very last footnote there is a subsequent event. Obviously, COVID-19 has created 4 5 -- it exists now so as a result the plan anticipates there could be some impact on the 6 7 plan's investments, contributions, benefit 8 payments, going forward. So we do disclose and 9 recognize that existed subsequent to year-end so we disclosed that in there. 10 11 That is a quick brief nutshell. I wasn't 12 going to go through a whole lot more with all the 13 numbers. Unless anybody wanted me to get into some 14 more details on this, that is about all I have. 15 CHAIRMAN FORTUNA: Any more questions? 16 Any questions? 17 I would need a motion to accept. 18 MEMBER MARTIN: Motion to accept the Auditors Report. 19 20 MEMBER MURPHY: Second. 21 CHAIRMAN FORTUNA: Motion by Trustee 22 Martin. Seconded by Trustee Murphy. 23 This is going to be a roll call also. 24 Trustee Martin.

1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Murphy.
6	MEMBER MURPHY: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MR. THOMPSON: Thank you, everybody. A
12	big thanks to all the Fund staff. It's been a very
13	interesting year and there's been a lot of
14	concessions that we had to try and work around to
15	make the audit happen. So everybody really pitched
16	in there to get us through it. Thank you, very
17	much. Appreciate it.
18	CHAIRMAN FORTUNA: Thank you.
19	MS. BURNS: I think the next thing is the
20	approval of the Board's Physician Reviews of
21	Disability Recipients. You would need a motion to
22	approve the Board physician recommendations for
23	those reviews.
24	MEMBER MARTIN: I will make the motion.

1	MEMBER MURPHY: Second.
2	CHAIRMAN FORTUNA: There is a motion and
3	a second. All in favor?
4	(Chorus of ayes.)
5	CHAIRMAN FORTUNA: Opposed?
6	Hearing none, motion carries.
7	MS. BURNS: The last action item is
8	Approval of the Administrative Expenses for Board
9	Review and Approval.
10	MEMBER MARTIN: I am make that motion,
11	Mr. President, to approve the expenses.
12	MEMBER MURPHY: Second.
13	CHAIRMAN FORTUNA: Motion by Trustee
14	Martin. Seconded by Trustee Murphy. All in favor?
15	(Chorus of ayes.)
16	CHAIRMAN FORTUNA: Opposed?
17	Hearing none, motion carries.
18	MS. BURNS: Then, sir, the last thing we
19	were going to talk about briefly is I think we gave
20	everybody notice that Public Act 101-0633 was
21	passed and this is the Act that will allow for Line
22	of Duty Death Benefits for Firefighters who are
23	killed in the line of duty as a result of COVID-19.
24	We will work on procedures with you and

1 get those back to you for your review next month. 2 This month you did approve Mrs. 3 Singleton, who is the widow of a member who may qualify for this benefit. If that is what the 4 5 Board decides, we will go back and adjust the 6 annuity accordingly next month. 7 MEMBER MARTIN: That is great. Mary Pat, you were going to work on something like that, but 8 9 I'd like to put it out there also the Department of 10 Justice had changed and they accepted it also for 11 Covid. 12 I think what you're suggesting, I don't 13 know, but you can clarify me on this, is whether 14 that affected the benefit under Article 22, which 15 required the City to then pay a Death Benefit 16 consistent with past practice for other Line of 17 Duty Death Benefits. You can look at this in a 18 holistic fashion and maybe we can put something together. I would appreciate it. 19 20 MS. BURNS: Yes. We welcome your input 21 on that process. 22 MEMBER MARTIN: Thank you, Mary Pat. 23 Thanks, staff.

MS. BURNS: Unless there is New Business

24

```
1
     /Old Business, just a motion to adjourn.
2
               CHAIRMAN FORTUNA: Is there a motion to
3
     adjourn?
               MEMBER MURPHY: Motion.
4
5
               MEMBER McPHILLIPS: Second.
6
               CHAIRMAN FORTUNA: Motion by Trustee
7
     Murphy to adjourn. Seconded by Trustee McPhillips.
               All in favor?
8
9
                    (Chorus of ayes.)
10
               CHAIRMAN FORTUNA: Motion carries.
11
               Thank you so much everyone.
12
13
                (WHICH WERE ALL THE PROCEEDINGS
14
                IN THE ABOVE-ENTITLED MEETING
15
               AT THIS DATE AND TIME.)
16
17
18
19
20
21
22
23
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	<u>Debbis Tyrrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
19	
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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF) MEETING NO. 1076)
8	
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the audio meeting of the above-entitled matter,
12	held at 20 South Clark Street, Suite 300, in the
13	City of Chicago, County of Cook, State of Illinois,
14	on Friday, July 17, 2020, commencing at the hour of
15	8:30 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

1	APPEARANCES
2	BOARD MEMBERS:
3	
4	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	ANNA VALENCIA, City Clerk
10	RESHMA SONI, City Comptroller
11	ANNETTE NANCE-HOLT, Active Trustee
12	ATTORNEYS FOR THE BOARD:
13	BURKE, BURNS AND PINELLI, LTD.
14	BY: MS. MARY PATRICIA BURNS MR. VINCENT PINELLI
15	
16	ALSO PRESENT:
17	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
18	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
19	JOHN CONNESS, Fund Accountant
20	MARC TORRES, IT Analyst MARK MYSLINSKI, City Treasurer's Office
21	DANIEL G. SAMO, M.D., Board Physician MICHAEL I. PETERS, M.D., Board Physician
22	ROSEMARY GIAMBALVO, Retired Chicago
23	Police Officer
24	

1	CHAIRMAN FORTUNA: I am going to ask for
2	a roll call that puts this meeting to order.
3	MR. SWANSON: I will conduct the roll.
4	Trustee Martin.
5	MEMBER MARTIN: Here.
6	MR. SWANSON: Trustee Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Here.
8	MR. SWANSON: Trustee Murphy.
9	MEMBER MURPHY: Here.
10	MR. SWANSON: Trustee Soni.
11	MEMBER SONI: Here.
12	MR. SULLIVAN: Trustee Nance-Holt
13	MEMBER NANCE-HOLT: Present.
14	MR. SULLIVAN: Trustee McPhillips
15	MEMBER MCPHILLIPS: Here.
16	MR. SULLIVAN: Trustee Valencia.
17	I don't believe she has joined yet but we
18	do expect her.
19	Trustee Fortuna.
20	CHAIRMAN FORTUNA: Here.
21	We have a quorum.
22	We can go through the president remarks
23	again. Do you want to do that, Mary Pat, or should
24	I just read through it?

1	MS. BURNS: I was going to suggest to
2	save time that having just repeated it at the
3	earlier committee meeting, perhaps the Board would
4	be okay if we just reflected it in the minutes of
5	the meeting and we don't read it.
6	CHAIRMAN FORTUNA: Very good.
7	MEMBER MARTIN: Motion to spread it on
8	the record.
9	MS. BURNS: Thank you.
10	CHAIRMAN FORTUNA: Motion by Trustee
11	Martin to put it on the record. Is there a second?
12	MEMBER MURPHY: Second.
13	CHAIRMAN FORTUNA: All those in favor?
14	(Chorus of ayes.)
15	CHAIRMAN FORTUNA: Opposed?
16	Hearing none, motion carries.
17	A new law was passed, Public Act 101-0640
18	which allows this meeting to be conducted by video
19	conference. The new Act requires a roll call vote
20	on each matter acted upon.
21	Further consistent with Public Act
22	101-0640, for the record, I am physically present
23	at the Fund's office, as is the Executive Director.
24	We are proceeding by video conference because we

continue to believe that due to the pandemic it is prudent to not be physically present in the same space. 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 to the public on the Fund's website.

MS. BURNS: Public comments.

MEMBER MARTIN: With respect to public comments, 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 its jurisdiction.

Are there any requests for public comments today?

MS. GIAMBALVO: This is Rosemary
Giambalvo, Retired Chicago Police Officer. I am
just listening in today.

CHAIRMAN FORTUNA: Go ahead, Trustee

Martin.

1	MEMBER MARTIN: Approval of
2	Administrative Items. A, Approval of the Minutes
3	of the Regular Audio Meeting of June 17, 2020,
4	Executive Session Minutes of June 17, 2020 and the
5	Regular Audio Meeting Transcript of June 17, 2020.
6	I make the motion to approve the minutes and
7	transcript of this meeting and to keep the
8	Executive Session minutes closed on the advice of
9	counsel.
10	MEMBER SONI: Second.
11	CHAIRMAN FORTUNA: That is a motion by
12	Trustee Martin. Seconded by Trustee Soni.
13	Do I need a roll call, Mary Pat?
14	MS. BURNS: I don't think so.
15	CHAIRMAN FORTUNA: All in favor?
16	(Chorus of ayes.)
17	CHAIRMAN FORTUNA: Opposed?
18	Hearing none, motion carries.
19	MS. BURNS: Now we will need a roll call.
20	MEMBER MARTIN: Moving on to Item B,
21	Minimum Formula Annuities. I make a motion to
22	approve the Minimum Formula Annuities starting with
23	Member 13880 and ending with Member 12255.
24	MEMBER McPHILLIPS: Second.

i	
1	CHAIRMAN FORTUNA: Motion by Trustee
2	Martin. Seconded by Trustee McPhillips.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Holt.
13	MEMBER NANCE-HOLT: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	Motion carries.
18	MEMBER MARTIN: Mr. President, moving on
19	to Item C, Survivors Annuities, Widows and
20	Children's Annuities. I make a motion to approve
21	the Widows Annuities starting with Member 10391
22	through Member 06743.
23	MEMBER NANCE-HOLT: Second.
24	CHAIRMAN FORTUNA: Motion by Trustee

1	
1	Martin. Seconded by Trustee Holt.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: And I am a yes.
16	Motion carries.
17	MEMBER MARTIN: Mr. President, this month
18	on the Refunds there is one refund for Member
19	18493. Motion to approve.
20	MEMBER MURPHY: Second.
21	CHAIRMAN FORTUNA: Motion to approve by
22	Trustee Martin. Seconded by Trustee Murphy.
23	Trustee Martin.
24	MEMBER MARTIN: Yes.

1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Holt.
9	MEMBER NANCE-HOLT: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MARTIN: Mr. President, moving on
15	to Item E, Death Benefits. Motion to approve the
16	Death Benefits for Member 07510 through Member
17	06743.
18	MEMBER SONI: Second.
19	CHAIRMAN FORTUNA: There is a motion by
20	Trustee Martin. Seconded by Trustee Soni.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
_	CHAIRMAN FORTUNA. ITUS CEE
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	Motion carries.
12	MEMBER MARTIN: Mr. President, under Item
13	F, we have several Partial Payments this month. I
14	make the motion to approve the Partial Payments
15	beginning with Member 06891 continuing through
16	Member 08047.
17	MEMBER CONYEARS-ERVIN: Second.
18	MEMBER MARTIN: Motion by Trustee Martin.
19	Seconded by Trustee Conyears-Ervin.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MEMBER MARTIN: Mr. President, moving on
12	to Benefit Recalculations. This month there are
13	none.
14	Request for Permission, under Item H, Mr.
15	President, this month there are none.
16	Moving on to item I, Removals. There are
17	several. I would like to make the motion to
18	approve the Removals starting with Leroy Hearon and
19	ending with Devonia Gant. Mr. President, that is
20	the motion.
21	MEMBER McPHILLIPS: Second.
22	CHAIRMAN FORTUNA: There's a motion by
23	Trustee Martin. Seconded by Trustee McPhillips.
24	Trustee Martin.

1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee Soni.
3	MEMBER SONI: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Holt.
10	MEMBER NANCE-HOLT: Yes.
11	CHAIRMAN FORTUNA: Trustee Murphy.
12	MEMBER MURPHY: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MEMBER MARTIN: Mr. President, moving on
16	to Item 3, Request for Approval of Payments
17	pursuant to Administrative and Court Orders. I
18	make a motion to approve the Administrative and
19	Court Orders pertaining to Member 013880 and Member
20	014757, that is the motion.
21	MEMBER NANCE-HOLT: Second.
22	CHAIRMAN FORTUNA: There is a motion by
23	Trustee Martin. Seconded by Trustee Holt.
24	Trustee Martin.

1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee Soni.
3	MEMBER SONI: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Holt.
10	MEMBER NANCE-HOLT: Yes.
11	CHAIRMAN FORTUNA: Trustee Murphy.
12	MEMBER MURPHY: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MEMBER MARTIN: Mr. President,
16	consideration of Legal Committee Recommendations.
17	The Legal Committee met this morning to
18	consider Public Act 101-0633, which amended
19	Article 6 to address Covid related deaths of active
20	firefighters.
21	Pursuant to that Act, the Committee
22	considered a draft policy setting forth the
23	procedures that will be followed by this Fund in
24	such Covid related Duty Deaths.

1	Based on the recommendation of the
2	Committee, I move that the recommendation of the
3	Legal Committee to adopt and implement the COVID-19
4	Line of Duty Death Policy be adopted by this Board.
5	MEMBER MURPHY: Second.
6	CHAIRMAN FORTUNA: Okay. There is a
7	motion to adopt by Trustee Martin. Seconded by
8	Trustee Murphy.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Holt.
19	MEMBER NANCE-HOLT: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	Motion carries.
24	MEMBER MARTIN: Mr. President, could I

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1
     ask that this policy be disseminated with the next
2
     summary so our members know that we have addressed
     this issue? Do I have to make a motion there?
 3
 4
               CHAIRMAN FORTUNA: Why don't you make a
 5
     motion. Let's put it on the record.
 6
               MEMBER MARTIN: Mr. President, I'd like
 7
     to make a motion to have the Covid policy
     disseminated with the next monthly summary.
8
 9
               MEMBER MURPHY: Second.
10
               CHAIRMAN FORTUNA: Motion by Martin.
11
     Seconded by Trustee Murphy. All in favor?
12
                    (Chorus of ayes.)
               CHAIRMAN FORTUNA: Opposed?
13
14
               Hearing none, motion carries.
15
               MEMBER MARTIN: Mr. President, moving on
16
     to Item 5, we have consideration of approval of the
17
     following matters. We have the hearings that begin
18
     at 9:15. We are way ahead of schedule. Can we
19
     start these hearings? Do we have people present?
20
               MS. BURNS: Vince isn't present but I
     emailed him. As soon as I hear from him, I will
21
22
     let you know.
23
               MEMBER MARTIN: How about if we move on
24
     to Item 6 then until we have Vince present, would
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1	that be alright with everyone?
2	CHAIRMAN FORTUNA: Yes.
3	MEMBER MARTIN: Mr. President, moving on
4	to Item 6, Approval of Board Physician Reviews of
5	Disability Recipients. Is the doctor present
6	before I make this motion?
7	DOCTOR PETERS: Yes, I am present.
8	MEMBER MARTIN: Given that our doctor is
9	present, I would like to make a motion to approve
10	the Board Physician recommendations for reviews.
11	MEMBER MURPHY: Second.
12	CHAIRMAN FORTUNA: There's a motion by
13	Trustee Martin. Seconded by Trustee Murphy.
14	MEMBER VALENCIA: I am here now.
15	MR. SWANSON: Trustee Valencia has joined
16	us.
17	CHAIRMAN FORTUNA: Trustee Martin.
18	MEMBER MARTIN: Yes.
19	CHAIRMAN FORTUNA: Trustee Soni.
20	MEMBER SONI: Yes.
21	CHAIRMAN FORTUNA: Trustee
22	Conyears-Ervin.
23	MEMBER CONYEARS-ERVIN: Yes.
24	CHAIRMAN FORTUNA: Trustee McPhillips.

1	MEMBER McPHILLIPS: Yes.
2	CHAIRMAN FORTUNA: Trustee Holt.
3	MEMBER NANCE-HOLT: Yes.
4	CHAIRMAN FORTUNA: Trustee Murphy.
5	MEMBER MURPHY: Yes.
6	CHAIRMAN FORTUNA: Trustee Valencia.
7	MEMBER VALENCIA: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	Motion carries.
10	MEMBER MARTIN: Moving on to Item 7,
11	Discussion and Possible Action in Review of July
12	Cash Needs.
13	I'd like to turn this over to Lorna, who
14	will walk us through the Investment Agenda.
15	MS. SCOTT: We are starting with the
16	action items and that is cash needs. I am going to
17	turn this over to Jackie actually.
18	MS. VLAHOS: As of July 14th, we had in
19	our Chase checking account, as well our Fidelity
20	account, a balance of approximately
21	3 million dollars. We are anticipating an
22	additional 1.7 in salary contributions. For the
23	total available of 4.7 million dollars.
24	Through July we are going to have

```
1
     approximately 31.9 million dollars in expenses and
     benefit payments. We are going to have a shortage
2
 3
     this month at the end of July of 27.1 million
     dollars.
 4
 5
               We had communications with the City. We
     are anticipating in the next couple of days I think
 6
 7
     2 million dollars in the tax receipts. I don't
     know if we are going to get anything else. We are
8
 9
     hopeful we are going to get more.
10
               I know we originally had anticipated, due
11
     to how it used to come in the past in August, we
12
     would usually get significantly more in the month
13
     of July. Hopefully, we will see some of that
     coming in.
14
15
               I think Lorna will talk about this a
16
     little bit more, we probably will do it "up to" the
17
     amount of hoping other tax receipts will come in in
18
     the next couple of weeks.
19
               If you go to the next page --
20
               MEMBER MCPHILLIPS: Jackie, can I
     interrupt?
21
22
               MEMBER SONI: I'm sorry, can I interrupt?
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24 So there are payments expected on the

23

This is Reshma.

1 24th, the 30th and the 31st from the County. So we 2 should have a better idea of how that cash flow is 3 coming in. Usually once we receive it, we submit it within the next business day. We do expect 4 5 another three rounds of payments coming through. MS. VLAHOS: Is this in addition to -- I 6 7 think Steve discussed with you that there was two I think in the works. One was like approximately 1.8 8 million and the another, I think maybe today, 800 9 10 some thousand. In addition to that, you are 11 expecting more? 12 MEMBER SONI: Yes because we only the 13 know the amounts literally the day of or the day 14 before. So these are the amounts for today and 15 yesterday. The amounts for next week we will know 16 one day before and I will make sure to inform you, 17 Jackie. 18 MS. VLAHOS: That would be perfect. 19

MEMBER MARTIN: What would our motion be then, Jackie?

20

21

22

23

24

MS. VLAHOS: She will talk about it further but it would be "up to". So, obviously, as of right now, we're showing a shortage of 27.16 million. Obviously, we need to have a

1 | surplus in our checking.

If you go to the cash flow projections on the next page, it is projecting that we would have to have a transfer of 27.4 million dollars.

It would be "up to". And, hopefully, I do know we haven't received it yet but we also have confirmation that we should be getting approximately say a little over 2 million in the next day or so, so that would actually bring it down. I would say up to 27.4 million.

MEMBER CONYEARS-ERVIN: Are we saying possibly that the City is going to be providing those funds and we may not have to liquidate? Is that what you are saying, Jackie?

MS. VLAHOS: Hopefully, yes, that's how it usually was in the past for July. Usually they are due August 1st so we will start getting large payments, but it is usually towards the end of the month. We wouldn't know obviously until after the board meeting. Hopefully, we won't have to draw down or it will be a lot smaller of the proposed 27.4 million.

MEMBER SONI: I just want to clarify this is property tax payments that we are talking about.

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1
     Just to clarify, the reason we don't know is again
2
     the property tax payments are coming in in bunches.
 3
               We get a schedule from the County that
     lets us know when it is coming, we just don't know
 4
 5
     how much is coming. Of course, they are collecting
     on a daily basis so they wouldn't know until they
 6
 7
     have done the collections to let us know how much
     is coming through.
8
 9
               MS. VLAHOS: Of course.
10
               MEMBER MCPHILLIPS: Can I ask a quick
11
     question? How much have we received in July so
     far?
12
13
               MS. VLAHOS: So far we received -- I'd
     have to check. I think we were supposed to receive
14
15
     a little over $800,000 today and I believe probably
16
     Monday we are going to receive, I am guessing, like
17
     1.8, 1.5 million.
18
               MEMBER SONI: It is supposed to be
     852,000 and then 1.8 million.
19
               MEMBER MCPHILLIPS: Do we anticipate
20
     receiving everything that we initially forecasted
21
     for 2020?
22
23
               MS. VLAHOS: Yes. Well, of course,
24
     because it is law that they have to pay us what was
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1
     anticipated. So kind of like before at the end of
2
     year for some reason --
 3
               MEMBER MCPHILLIPS: That wasn't my
 4
     question. How much did we anticipate receiving
     last month and we now don't think we're going to
 5
     receive it in 2020? Last month you made
 6
 7
     projections for how much we're going to receive in
     2020. Now, obviously, you pushed that out, which
8
 9
     is fine. I understand it. Reshma, I understand
10
     you don't control it. This is all based on
11
     property tax owners. But how much have we pushed
12
     out in our forecast that we won't receive in 2020,
13
     now we won't get our hands on until after 2020?
14
               MS. VLAHOS: I didn't project not
15
     receiving anything. We're still projecting.
                                                   Ιt
16
     might be in different months but I haven't
17
     projected to not receive the tax receipts.
18
               MEMBER MCPHILLIPS: You're just pushing
     it out?
19
20
               MS. VLAHOS:
                            Yes.
21
               MEMBER MCPHILLIPS: It is going to be top
     heavy in it looks like October now?
22
23
               MS. VLAHOS: These are of course
24
     estimates. Like Reshma was saying, it could be
```

July, it could be August, but I am going based on what we have received so far and what we normally receive historically by now.

I am just estimating that maybe it comes in September or October. Maybe that doesn't happen. Maybe we do get it in the end of July.

It is a new situation where there is an extension for people to have a little bit more time to pay.

I am trying to give Lorna a better estimate of what possibly she could have to do with investments in the next couple of months.

Hopefully, it comes in the end of July and this gets updated.

MEMBER MCPHILLIPS: I am trying to figure out what was the basis of your estimate to push these out to October?

MEMBER SONI: Can I give some background, it might just help. The bill that went out in July, at the beginning of July, by the County says that the due date was August 1st. But it always said if you pay on September 1st or October 1st, it is basically the same amount so there is no penalty.

With the current Covid situation, a lot of people, who have not escrowed their property taxes, are taking the option of paying later. We just don't know how many those are.

The other issue is that the banks themselves, because this is so prolonged, are giving the authority, especially after these bills have come out, to fund the remaining part of the escrow a little bit later than usual.

If they would ask for funding to be completed for the escrow by the end of June, now they are giving people until the end of August.

There might be some escrow that comes in but it is not fully funded, that is causing the delay.

MEMBER MCPHILLIPS: It sounds like our analysis in pushing the tax receipts out in the further months is based just on the taxpayer being able to pay later. It has nothing to do with maybe there's going to be true delinquencies and their inability to pay. Would that be correct?

MS. VLAHOS: Correct.

MEMBER SONI: The same on the City side.

We're not anticipating reduction in collections.

It's just timing of collections.

1 MEMBER MCPHILLIPS: Thank you. 2 MEMBER MARTIN: Given that, I'd like to 3 make a motion to allow staff the discretion to draw up to 27.4 million, based upon their tax 4 5 collections by the end of the month. MS. SCOTT: Did we want to look at the 6 7 rebalancing template and see where we were planning on drawing down? 8 9 MEMBER MARTIN: This is going to be 10 hypothetical, you are still going to have to 11 exercise discretion. 12 MS. SCOTT: As of right now, we have 13 7 million in cash at Northern so I've got projected 14 rebalancing up to 23 million. 15 Again, hypothetically, if no money comes 16 in, we would be raising 23 million dollars and I've 17 got it spread across the asset classes. 18 If I could ask Mark to share a screen and 19 we can pull up the rebalancing template to look at 20 exactly where I am looking at taking that money. 21 MEMBER MARTIN: That would be great, 22 thank you. 23 MS. SCOTT: Looking at the rebalancing 24 template, at the bottom of the first column, the

first column shows our allocation as of July 14th. At the very bottom, we see there is cash right now at Northern Trust of 7.7 million in cash. We need 24.7 million. So we have 7.7 million. Looking at that second column, we are proposing raising an additional 23 million by selling 12 million from U.S. Equities, taking 3 million from International Equities, and taking 8 million from fixed income.

We raise 23 million. We have 7.7 million. We will then transfer 27.4 million from Northern to Chase and that leaves us with 3.3 million in cash at Northern.

Looking at that last column, the variance, that shows the difference versus the policy target after the cash withdrawal. Looking at that asset allocation, we remain very close to target. Under allocated in private equity, over allocations in fixed income and real assets but generally within target.

So, again, this is worst case scenario. We get no money and we have to raise 23 million.

As Reshma said, there is expectation that we will be getting some money. The idea will be to cutback on not raising all this cash acrose these

1 managers.

I would be asking for a motion to raise up to 23 million, as indicated on this rebalancing template, subject to modifications at my discretion in the event that we do receive contributions from the City of Chicago.

MEMBER SONI: Remind me again, by when do you need the cash in the cash account to be able to insure that you have enough to make your payments?

MS. SCOTT: So we would want the cash in the cash account on the 31st, but I have to notify the managers by that Monday before so I think it is July 25th, that is what I would be shooting as a deadline on how much money do I have versus how much money do I have to raise.

MEMBER SONI: So we have another distribution coming on the 24th.

MS. SCOTT: Okay, that works then.

MEMBER SONI: Hopefully, that should be a larger distribution then what we are seeing at this time.

MS. SCOTT: My hope is not to have to raise much of this. We are eagerly looking for those payments, Reshma.

1 MEMBER SONI: Me, too.

MEMBER MCPHILLIPS: Reshma, can I ask you a quick question? How often does the County schedule with the City to make distributions?

MEMBER SONI: They usually provide a schedule, a tentative schedule, to us for about seven to eight weeks at this point, but the schedule can change. Going off historical data, usually by these dates we see X amount of money is a good time to basically distribute all the money. It is not only us but it is any other taxing body that is collecting. Park district, the CPS, all of them. Everybody gets the distribution on the same day.

We have a schedule that we have asked them to give to us. A little bit more accurate or confirmed for the remaining part of July, August and September. July they gave us up until July 31st, which is the July 24th, July 30th and July 31st dates. We are reconfirming August and September. I can definitely provide that to the board to get an idea.

MEMBER MCPHILLIPS: You can provide that, that would be great.

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1
               MEMBER SONI: We can let the board know.
2
     I can let Jackie or Steve or Lorna know.
 3
     Especially this year with the way things are going,
     it is going to be very important for us to know
 4
 5
     when we expect cash to come through, regardless of
     the amount.
 6
 7
               MEMBER MCPHILLIPS: Jackie, you are not
     getting that schedule now then I am assuming?
8
 9
               MS. VLAHOS: No, I am not.
10
               MEMBER SONI: That is something that in
11
     the past we weren't getting that much ahead of
12
     time. Right now we have requested it because of
13
     the special case of this year's extension. So once
14
     we get that, I can definitely provide it.
15
               MEMBER MCPHILLIPS: Thank you, Reshma.
                                                        I
16
     appreciate that.
17
               MEMBER SONI: No problem.
18
               MEMBER MCPHILLIPS: Is there a motion out
     there?
19
20
               MEMBER MARTIN: I would like to make a
21
     motion consistent with our comptroller's report and
     Chief Investment Officer's recommendation.
22
23
               MEMBER MCPHILLIPS: I will second it.
24
               CHAIRMAN FORTUNA: There is a motion by
```

1	Trustee Martin and a second by Trustee McPhillips.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	Motion carries.
19	MEMBER MARTIN: Mr. President, moving on
20	to Item 8, which is the election rules. Steve has
21	provided the revised rules for approval for the
22	2020 election active firefighter election. Is
23	there any discussion or question?
24	MEMBER CONYEARS-ERVIN: I have a

```
1
     question.
                We had discussions last month.
                                                 I can't
     remember. What are the forms of voting?
2
 3
               MR. SWANSON: We only accept ballots by
     mail and the Pension Code specifies that.
 4
 5
               MEMBER CONYEARS-ERVIN: Is this the only
     Pension Fund, Mary Pat, that you know of that the
 6
 7
     Pension Code specifies that?
               MS. BURNS: Yes. I am surprised by that.
8
9
     It says it shall be held by mail, but I don't
10
     necessarily think that means that limits you to
11
     just mail, if that makes any sense.
12
               MEMBER CONYEARS-ERVIN: Yes, it does.
13
               The reason I ask that question is because
14
     I would assume that the percentage of returned
15
     ballots is very low; is that correct?
16
               MR. SWANSON: Actually, I think compared
17
     to other Pension Funds, we have a higher
18
     percentage. We are usually closer with active
     elections. You would expect probably 40 percent of
19
20
     our ballots to be returned and a little higher with
     the retirees.
21
22
               CHAIRMAN FORTUNA: Much higher with the
23
     retirees.
24
               MEMBER CONYEARS-ERVIN: 40 percent return
```

1 on ballots? 2 MR. SWANSON: Yes, Madam Treasurer. 3 MEMBER CONYEARS-ERVIN: Okay. Proceed. 4 MS. BURNS: That is very good. 5 MEMBER VALENCIA: I have a question, which position is this for, for the election? 6 7 MR. SULLIVAN: This is for Trustee Martin's term that will be expiring November 30th. 8 9 MEMBER VALENCIA: Thank you. 10 MEMBER CONYEARS-ERVIN: Do we know if 11 anyone else -- how do you know when someone will be on the ballot? 12 13 MR. SWANSON: We will post the Notice of 14 Election at the beginning of August and then the 15 Tuesday after Labor Day people can submit their 16 Statement of Candidacy the Friday after Labor Day. 17 Then they have a period where they can withdraw 18 from the ballot, if they wish, and then a lottery will be held for the positions on the ballot. 19 20 MS. BURNS: One of the ways that this fund differs from other pension funds is that this 21 22 fund does not require there to be petitions or 23 signatures in support of a candidate. So literally 24 any person who fills out the application can run on

```
1
     the ballot. Usually, we have no more than four or
2
     five candidates at a time.
 3
               MEMBER VALENCIA: Is Trustee Martin
     running again?
 4
 5
               MS. BURNS: A good question.
               MEMBER VALENCIA: We hope that you are
 6
7
     back, Trustee Martin.
8
               MEMBER MARTIN: That is very kind, thank
9
     you.
10
               MEMBER VALENCIA: You have my
11
     endorsement, if you need to put it on your mailing.
12
               MEMBER MARTIN: I appreciate that very
13
     much.
14
               CHAIRMAN FORTUNA: Any questions?
15
               MEMBER MCPHILLIPS: Any changes to the
16
     rules?
17
               MR. SWANSON: No. We have stayed with
18
     the same rules. With the help of Fund counsel, we
19
     did put in a special note that because of the Covid
     situation we might have to change some procedures,
20
21
     if we had some sort of outbreak or something like
22
     that.
23
               Right now we believe by mail and we will
24
     be able to count the ballots in the Fund office.
```

```
1
               MS. BURNS: We will definitely come back
2
     to you as Trustees if we do need to change
 3
     anything.
               For instance, right now you have to turn
 4
 5
     your application in at the Fund office. If the
     office were to close for some reason, we may say
 6
 7
     you turn it in to our office or in the lobby of the
8
     building or something. We would have to
 9
     accommodate people if they close the office.
10
               CHAIRMAN FORTUNA: Trustees, anymore
11
     questions for Steve?
12
               MEMBER CONYEARS-ERVIN: How long are the
13
     terms?
14
               MR. SWANSON: The terms are three years.
15
               MS. BURNS: December 1st through November
16
     30th three years later.
17
               MEMBER CONYEARS-ERVIN: Alright. Thank
18
     you.
19
               CHAIRMAN FORTUNA: Hearing no more
     questions, is there a motion?
20
21
               MEMBER MARTIN: That would have to come
22
     from someone else other than myself.
23
               MEMBER NANCE-HOLT: I will make the
24
     motion to approve the election rules.
```

1	MEMBER VALENCIA: I will second it.
2	CHAIRMAN FORTUNA: There is a motion by
3	Trustee Holt. Seconded by Trustee Valencia.
4	Trustee Martin.
5	MEMBER MARTIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee McPhillips.
12	MEMBER McPHILLIPS: Yes.
13	CHAIRMAN FORTUNA: Trustee Holt.
14	MEMBER NANCE-HOLT: Yes.
15	CHAIRMAN FORTUNA: Trustee Murphy.
16	MEMBER MURPHY: Yes.
17	CHAIRMAN FORTUNA: Trustee Valencia.
18	MEMBER VALENCIA: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	MS. BURNS: I just want to mention that
21	Vince is available, if you wanted to start the
22	hearings.
23	MEMBER MARTIN: I'd like to make a motion
24	to go out of the regular order of business to move

1	on to the first hearing, if possible.
2	MEMBER SONI: Second.
3	CHAIRMAN FORTUNA: We will move out of
4	the regular order of business. There is a motion
5	by Martin. Seconded by Trustee Soni.
6	Trustee Martin.
7	MEMBER MARTIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee
11	Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER McPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Holt.
16	MEMBER NANCE-HOLT: Yes.
17	CHAIRMAN FORTUNA: Trustee Murphy.
18	MEMBER MURPHY: Yes.
19	CHAIRMAN FORTUNA: Trustee Valencia.
20	MEMBER VALENCIA: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	MEMBER MARTIN: This is the Occupational
23	Disease Disability hearing for Edward M. McVicker.
24	Ed, are you present?

1 MR. MCVICKER: Yes. 2 MEMBER MARTIN: Just briefly, Ed, just so 3 you know, Vince Pinelli, the Fund's attorney, will be conducting this hearing. 4 5 Without anything further. Vince. MR. PINELLI: Thank you, Mr. Secretary. 6 7 Good morning, Mr. McVicker. MR. MCVICKER: Good morning. 8 9 MR. PINELLI: As you have been told, sir, 10 I will be conducting this hearing for the record. I'd like to advise you of some preliminary matters 11 before we start evidence. 12 13 First of all, there are eight trustees 14 presently participating in this meeting. If you 15 don't know you should know you need the yes vote of 16 at least five of the eight trustees in order to 17 receive this benefit. Do you understand that? 18 MR. MCVICKER: Yes. MR. PINELLI: In addition, I see you do 19 20 not have an attorney representing you. Is it your desire to proceed without an attorney? 21 22 MR. MCVICKER: Yes. 23 MR. PINELLI: Lastly, as the applicant, 24 it is your burden of proof to present sufficient

T	evidence to the Board in order for the Board to
2	grant the benefit you are seeking. Do you
3	understand it is your burden of proof?
4	MR. MCVICKER: Yes.
5	MR. PINELLI: By way of procedures, I am
6	going to start by asking you some questions under
7	oath very briefly. The board members may or may
8	not have questions of you. Then I will call the
9	Fund's physician consultant to testify. If there
10	is anything I don't ask him that you think is
11	important for the Board to know, please just let me
12	know and you will be given that opportunity.
13	Do you understand the procedures?
14	MR. MCVICKER: Yes.
15	MR. PINELLI: Then we are ready to
16	proceed. Could I have Mr. McVicker and Doctor
17	Peters raise their right hands?
18	(Witnesses sworn.)
19	EDWARD M. McVICKER
20	a witness herein, having been first duly sworn, was
21	examined and testified as follows:
22	EXAMINATION
23	BY PINELLI:
24	Q First of all, Mr. McVicker, state your

1 you name for the record. 2 Α Edward M. McVicker. 3 You are currently with the Fire Q Department? 4 5 Α Yes. Captain EMT. Your last assignment before you went on 6 7 layup was? 8 Α Engine 65. 9 Sir, you were provided a copy of the 10 Board's exhibits marked 1 through 13 prior to this 11 hearing; is that correct? 12 Yes, I have a packet that was delivered Α 13 to me. 14 Did you have the opportunity to review those documents? 15 16 Yes, I went through them. 17 I am going to seek to introduce them into 18 the record. Do you have any objection to them 19 being introduced for the Trustees to review? 20 No, no objections. Α 21 Thank you. MR. PINELLI: 22 Mr. Chairman, I would move for admission 23 of Board Exhibits 1 through 13, without objection. 24 CHAIRMAN FORTUNA: Admitted without

1 objection. 2 (Board Exhibits 1 through 13 3 were admitted into evidence.) BY MR. PINELLI: 4 5 Q Mr. McVicker, you are applying for an Occupational Disease Disability benefit based upon 6 7 a medical condition you experienced and that was a 8 stroke; is that correct? 9 Α Yes. You entered service with the Fire 10 11 Department in what year? In 1990. 12 Α 13 And was this medical condition you 14 experienced did you experience it during the time 15 you have been in service with the Fire Department? 16 Α Yes. 17 Q Can you just give the Board a brief 18 chronology of assignments you had from when you 19 came on in 1990 until you went on layup recently? 20 When I started, I started my service July Α 21 16th of 1990 as a Paramedic and I did that maybe 22 for 13 months and crossed over to Firefighter 23 October 1st of '91. 24 If you want all my assignments, I

1 continued being a Firefighter and was promoted to 2 Engineer to Lieutenant and then to Captain to which 3 I am presently am at. Are you asking me my assignments where I was at? 4 5 That's fine, I think that history is sufficient for this purpose. 6 7 Let me ask you this now, since you had 8 this stroke then you underwent medical treatment 9 for your condition; is that correct? 10 Yes. June 2nd on my way to Engine 65 and 11 I went -- I started on my way and I felt that I 12 needed to get to the hospital so I turned right 13 around and I drove to the hospital, Palos Community 14 Hospital, Palos Health. They transferred me out to 15 Loyola. 16 They treated you with -- you had 17 angioplasty and a stent placed; is that correct? 18 Yes, in the carotid artery. Α And currently you are still experiencing 19 Q limitations from the stroke? 20 21 Α Yes. 22 MR. PINELLI: That is all the questions I 23 have at this time. Any questions, 24 CHAIRMAN FORTUNA:

```
1
     Trustees?
2
               MR. PINELLI: Then I will call Doctor
3
     Peters to testify.
                         (Witness previously sworn.)
 4
 5
                    MICHAEL I. PETERS, M.D.
     a witness herein, having been first duly sworn, was
 6
 7
     examined and testified as follows:
8
                          EXAMINATION
9
                        BY MR. PINELLI:
10
           Q
                Please state your name.
11
               Michael I. Peters.
           Α
12
               You are a physician; is that correct?
           Q
13
               Yes.
           Α
14
                Is a copy of your qualifications attached
     to the Board Exhibits?
15
16
           Α
                Yes.
17
               Do you perform a function as a consultant
18
     to this Fund in which you review medical records,
19
     examine applicants and report to the Board?
20
                Yes, I do.
           Α
21
                Did you follow that procedure with
     respect to Mr. McVicker?
22
23
           Α
                Yes, I did.
24
               And did you file a written report with
           Q
```

1 the Board marked as Board Exhibit 2? 2 I did, yes. Α 3 Doctor, did you have the opportunity to Q interview him on June 16th? 4 5 Α Yes, on the telephone. 6 Was the information he provided you 7 consistent with the medical records that you 8 reviewed? 9 Α Yes, it was. 10 Can you please summarize for the Board 11 what your findings were? 12 Captain McVicker sustained an Α Yes. 13 embolic stroke from stenosis of his left internal 14 carotid artery. As he said that was on June 2, 2019. 15 16 He underwent an angioplasty of his left 17 internal carotid and had a stent placed. 18 Unfortunately, he still has weakness to his right upper extremity from that stroke despite physical 19 20 therapy. 21 Given those continuing symptoms, do you Q 22 believe he won't be able to perform his duties for 23 the fire department? 24 No, he wouldn't.

1	
1	MR. PINELLI: Thank you, doctor, that is
2	all the questions that I have.
3	CHAIRMAN FORTUNA: Trustees, any
4	questions for the doctor?
5	MEMBER MARTIN: At this time I would like
6	to make a motion to grant.
7	MEMBER NANCE-HOLT: Second.
8	CHAIRMAN FORTUNA: There is a motion by
9	Trustee Martin. Seconded by Trustee Holt.
10	Trustee Martin.
11	MEMBER MARTIN: Yes.
12	CHAIRMAN FORTUNA: Trustee Soni.
13	MEMBER SONI: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	MEMBER MARTIN: Mr. President, at this
3	time I would like to make a motion for reexam
4	consistent with the Fund's policy.
5	MEMBER SONI: Second.
6	CHAIRMAN FORTUNA: Motion for reexam by
7	Trustee Martin. Seconded by Trustee Soni.
8	Trustee Martin.
9	MEMBER MARTIN: Yes.
10	CHAIRMAN FORTUNA: Trustee Soni.
11	MEMBER SONI: Yes.
12	CHAIRMAN FORTUNA: Trustee
13	Conyears-Ervin.
14	MEMBER CONYEARS-ERVIN: Yes.
15	CHAIRMAN FORTUNA: Trustee McPhillips.
16	MEMBER McPHILLIPS: Yes.
17	CHAIRMAN FORTUNA: Trustee Holt.
18	MEMBER NANCE-HOLT: Yes.
19	CHAIRMAN FORTUNA: Trustee Murphy.
20	MEMBER MURPHY: Yes.
21	CHAIRMAN FORTUNA: Trustee Valencia.
22	MEMBER VALENCIA: Yes.
23	CHAIRMAN FORTUNA: And I am a yes.
24	MEMBER MARTIN: I would like to make a

_	
1	motion to adopt the Findings of Fact as provided
2	and distributed by Fund counsel.
3	MEMBER CONYEARS-ERVIN: Second.
4	CHAIRMAN FORTUNA: Motion by Trustee
5	Martin. Seconded by Trustee Conyears-Ervin.
6	Trustee Martin.
7	MEMBER MARTIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee
11	Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER McPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Holt.
16	MEMBER NANCE-HOLT: Yes.
17	CHAIRMAN FORTUNA: Trustee Murphy.
18	MEMBER MURPHY: Yes.
19	CHAIRMAN FORTUNA: Trustee Valencia.
20	MEMBER VALENCIA: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	Mr. McVicker, based on the Findings of
23	Fact made by the Trustees, the Trustees have voted
24	to grant you the benefit that you have requested.

1 You will notified my mail of the Findings of Fact and the Board's decision. 2 3 Good luck to you, sir. MR. MCVICKER: Thank you. 4 5 MEMBER MARTIN: Grace, are you present? MS. FLORES-PACHOWICZ: 6 Yes. 7 MEMBER MARTIN: Let the record reflect this is the Duty Disability benefit application for 8 9 Grace Flores-Pachowicz. 10 Grace, the Fund's attorney Vince Pinelli 11 is going to be conducting this hearing. So without anything further, Vince. 12 13 MR. PINELLI: Thank you, Mr. Secretary. 14 Good morning, Ms. Pachowicz. Is that okay if I 15 call you Ms. Pachowicz? 16 MS. FLORES-PACHOWICZ: 17 MR. PINELLI: Thank you. 18 Let me advise you of some preliminary matters before we start evidence. First of all, 19 20 there are eight trustees present in the meeting to hear the evidence on your application. 21 22 If you don't know you should know under 23 the Pension Code you would need the yes vote of at 24 least five of the eight trustees to receive this

1 benefit. Do you understand that? 2 MS. FLORES-PACHOWICZ: Yes, sir. 3 MR. PINELLI: In addition, you do not have an attorney of record representing you. 4 5 your desire to proceed without an attorney to this hearing? 6 7 MS. FLORES-PACHOWICZ: Yes. MR. PINELLI: Lastly, it is the 8 9 applicant's burden of proof to present sufficient 10 evidence to the Board in order for the Board to grant a benefit under the Pension Code. 11 Do you understand it is your burden of proof? 12 13 MS. FLORES-PACHOWICZ: Yes. 14 MR. PINELLI: By way of procedures, I am 15 going to start by asking you some questions under 16 oath and I will also call the Fund physician 17 consultant to testify. If there is anything I 18 don't ask him that you think is important for the Board to know before they vote on it, please let me 19 20 know and you will be given that opportunity. you understand our procedures? 21 22 MS. FLORES-PACHOWICZ: Yes, sir. 23 MR. PINELLI: Thank you. Then may I have 24 you raise your right hand, along with Doctor Samo,

1	who is going to testify.
2	(Witnesses sworn.)
3	GRACE FLORES-PACHOWICZ
4	a witness herein, having been first duly sworn, was
5	examined and testified as follows:
6	EXAMINATION
7	BY MR. PINELLI:
8	Q Would you please, Ms. Pachowicz, state
9	your name for the record?
10	A Grace Flores-Pachowicz.
11	Q What is your rank with the Fire
12	Department?
13	A Paramedic in Charge, PIC.
14	Q What was your last assignment before you
15	went on layup?
16	A Ambulance 67.
17	Q Now before today's date, you should have
18	been provided a copy of documents marked Board
19	Exhibits 1 through 13 from the Fund staff. Did you
20	receive those documents?
21	A Yes, I did sir.
22	Q Did you have an opportunity to review
23	them?
24	A Yes, I did.

1 Do you have any objection to their 2 admission into the record in support of your 3 application? 4 Α No. 5 MR. PINELLI: Thank you. Mr. Chairman, I move for admission of 6 7 Board Exhibits 1 through 13, without objection from the applicant. 8 9 CHAIRMAN FORTUNA: These exhibits are 10 admitted without objection. 11 MR. PINELLI: Thank you. 12 (Board Exhibits 1 through 13 were 13 admitted into evidence.) 14 BY MR. PINELLI: 15 Q Ms. Pachowicz, understanding the Board 16 has your written statement that you gave them 17 regarding the incident and what happened to you, 18 could you please summarize for us what happened to on you on June 28th of 2019 that caused you to have 19 20 an injury that is the basis of your application? 21 Sure. We were at Cook County jail with Α 22 my partner attending to a patient. We had brought 23 the patient outside on a stretcher. We were 24 loading the patient. Loaded the patient up.

1 Started treating the patient. 2 There was a Cook County -- the supervisor 3 jumped into the back of the ambulance as we were still at the jail treating the patient. We had not 4 5 left the facility yet. I asked him to step out because there is 6 7 not much room in the back and the patient was not 8 critical. So he exited the side door. When he 9 exited the side door, I went down to go close the 10 11 door and he actually went to go slam the door and my hand was in the door. 12 13 Which hand? Q 14 Α So my hand was caught, that was the left 15 hand. 16 Had you ever had an injury to your left 17 hand prior to that date? 18 Α I had a fracture of the wrist years ago on-the-job. 19 20 That healed and you were able to return 21 to work? 22 Α Yes. 23 Q Okay. 24 Yes. Correct. Α

1 This particular injury to your hand it 2 was more in the vicinity of your index finger; is 3 that correct? Yes, it caught my fingers there. 4 5 caught the index finger itself in the door. And then following that, obviously, you 6 Q 7 were seen at the emergency room where the patient was taken as well; is that correct? 8 9 Α Yes. Correct, sir. 10 Ultimately you underwent treatment for 11 the injury; is that correct? 12 Α Yes. 13 Did that conclude recently with a surgery 14 that you had on June 11th of this year? 15 Α Yes, I had surgery on the 11th, correct, 16 of June. 17 Q Prior to the surgery, you were 18 experiencing various difficulties with your left 19 finger and your hand; is that correct? 20 Because of the index, a lot of the Α Yes. swelling and the actual surgery is in the palm 21 22 right below the index finger. 23 And so you're just over a month or so Q 24 post that operation; is that correct?

1 A Correct.

- Q Have you started rehabilitation following the surgery?
 - A Yes. We have started two weeks ago. We just started rehab.
 - Q Okay. Has the doctor provided you with any guidance as to how long you will need to do rehab or what the projection is for when your finger would be healed?
 - A No. Actually, initially before that, the finger itself was not bending and every morning it goes in the same position. It's just like straight and stiff and then it takes some time to -- once it gets warmed up and moving around, it is able to not completely bend. I never have completely come to where I can grasp completely so we are hopeful that this surgery will help but he's unsure. We are unsure right now.
 - Q Understood. Obviously with that limitation, would you be able to perform your paramedic duties with the Fire Department?
 - A No, not at this time.
- Q Okay. Since you went on layup, have you engaged in any activities by which you earn income?

1 Α No, I have no other job. No. 2 MR. PINELLI: Thank you. That is all the 3 questions I have of the applicant. MS. FLORES-PACHOWICZ: May I add 4 5 something or not? CHAIRMAN FORTUNA: Go ahead. 6 7 MR. PINELLI: Yes, please. MS. FLORES-PACHOWICZ: So the doctor was 8 9 -- I think the reason everything stemmed from the 10 problem that got worse and worse because they had 11 actually from the ER -- I was in a splint for six 12 weeks without any movement due to the fact that 13 when I did go to Medical twice during that time 14 they said that they couldn't send me to a hand 15 doctor at that time due to the City -- we were 16 waiting for approval from the Finance Department of the City and everything was on hold for six weeks. 17 18 To be in a splint for six weeks with swelling, it was swollen and bruised and all for 19 six weeks, so he was really surprised and shocked 20 21 that I was still in that. I think that is what he 22 was saying that that stemmed from being immobile 23 for six weeks.

MR. PINELLI:

Okay.

1	CHAIRMAN FORTUNA: Trustees, any
2	questions?
3	Go ahead, Vince.
4	MR. PINELLI: Thank you.
5	I call Doctor Samo to testify.
6	(Witness previously sworn.)
7	DANIEL SAMO, M.D.
8	a witness herein, having been first duly sworn, was
9	examined and testified as follows:
10	EXAMINATION
11	BY MR. Pinelli:
12	Q Sir, please state your name.
13	A Daniel Samo.
14	Q You're a physician, correct?
15	A Yes.
16	Q And a copy of your qualifications as a
17	physician are attached to the Board Exhibits?
18	A Yes.
19	Q Do you perform a function as a consultant
20	to this fund?
21	A Yes.
22	Q In that capacity do you review medical
23	records, interview applicants and report to the
24	Board?

1 A Yes.

5

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- Q Did you file a written report to the Board with respect to Ms. Pachowicz?
- A Yes, I did.
 - Q Did you have the opportunity to interview her over the phone prior to completing your report?
 - A Yes, I did.
 - Q Okay. Is what she told you during the interview consistent with the evidence and the information that was contained in the medical records you reviewed?
 - A Yes, it was.
- Q Doctor, could you please summarize for us
 what her condition is?
 - A Basically, she had a contusion, a crush injury, without any fracture at the time of the injury. As she stated, she was put in an extension splint and remained in that for six weeks.
- Probably as a result of that, she developed some scarring where the tendon moves and in the tendon sheath and that affected her range of motion.
 - She tried various types of physical therapy and injections. None of it really resolved the problem and so she finally had the surgery a

```
1
     month ago. She is still in recovery from that at
2
     this point.
 3
               Based on your knowledge, just generally,
     what would you expect the time period would be
 4
     before she would reach MMI?
 5
               So probably 6 to 12 weeks for healing
 6
          Α
 7
     from the surgery and then start PT. So probably
     another 6 to 12 weeks following the onset of the
8
 9
          There is certainly a good possibility that she
     PT.
10
     will regain her function.
11
               MR. PINELLI: Very good. Thank you.
     That is all the questions I have of the doctor.
12
13
               CHAIRMAN FORTUNA:
                                  Trustees, any
14
     questions for Doctor Samo?
15
               MEMBER MARTIN: Doctor Samo, in the event
16
     that we pass this application, would you recommend
17
     case management?
18
               DOCTOR SAMO: Yes, I would.
               MEMBER MARTIN: Thank you, doctor.
19
20
               At this time, Mr. President, if there is
     no other questions, I'd like to make a motion to
21
22
     grant.
23
               MEMBER MURPHY: Second.
24
               CHAIRMAN FORTUNA: There's a motion to
```

1	grant by Trustee Martin. Seconded by Trustee
2	Murphy.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Holt.
13	MEMBER NANCE-HOLT: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Valencia.
17	MEMBER VALENCIA: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	MEMBER MARTIN: I'd like to make a motion
20	for case management.
21	MEMBER NANCE-HOLT: Second.
22	CHAIRMAN FORTUNA: Motion for case
23	management by Trustee Martin. Seconded by Trustee
24	Holt.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: At this time I'd like to
18	make a motion to adopt the Findings of Fact as
19	provided by Fund counsel.
20	MEMBER VALENCIA: Second.
21	CHAIRMAN FORTUNA: There's a motion to
22	adopt the Findings of Fact by Trustee Martin.
23	Seconded by Trustee Valencia.
24	Trustee Martin.

ı	
1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee Soni.
3	MEMBER SONI: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Holt.
10	MEMBER NANCE-HOLT: Yes.
11	CHAIRMAN FORTUNA: Trustee Murphy.
12	MEMBER MURPHY: Yes.
13	CHAIRMAN FORTUNA: Trustee Valencia.
14	MEMBER VALENCIA: Yes.
15	CHAIRMAN FORTUNA: And I am a yes.
16	Based on the Findings of Fact and
17	conclusions of law made by the Trustees, the
18	Trustees have voted to grant you the benefit you
19	have requested.
20	You will be notified by mail of the
21	Findings of Fact and the Board's decision.
22	Good luck to you. Hurry back.
23	MS. FLORES-PACHOWICZ: Thank you.
24	MEMBER MARTIN: Is Keith Garr on the

1 phone? 2 MR. GARR: Keith Garr here. 3 MEMBER MARTIN: Let the record reflect 4 this is the Duty Disability application for 5 Paramedic in Charge Keith Garr, Ambulance 69. 6 Keith, the Fund attorney Vince Pinelli is 7 going to be conducting this hearing. 8 Without anything further, Vince. 9 MR. PINELLI: Thank you, Mr. Secretary. 10 Good morning, Mr. Garr. As you have just 11 been told I am the attorney for the Fund. I will 12 be conducting this hearing for the record. I'd 13 like to advise you of some preliminary matters 14 before we start evidence. 15 First of all, there are eight trustees 16 present in the meeting to hear the evidence on your 17 application. If you don't know you should know the 18 Pension Code requires you to receive at least five yes votes of the trustees in order to receive this 19 benefit. Do you understand that? 20 21 MR. GARR: Yes. In addition, I see you do 22 MR. PINELLI: 23 not have an attorney representing you. For 24 purposes of this hearing is it your desire to

1 proceed without an attorney? 2 MR. GARR: Yes. 3 MR. PINELLI: Lastly, under the law, it is the applicant's burden of proof to present 4 sufficient evidence to the Board before the Board 5 6 can grant a benefit under the Pension Code. Do you 7 understand it is your burden of proof? 8 MR. GARR: Yes. 9 MR. PINELLI: By way of procedures, I am 10 going to start by asking you some questions under 11 The board members may or may not have oath. 12 questions of you. Then I will call the Fund 13 Physician/Consultant to testify. If there is 14 anything I don't ask him that you think is 15 important for the Board to know, please let me know 16 and you will be given that opportunity. 17 Do you understand the procedures? 18 MR. GARR: Yes. 19 MR. PINELLI: Then we are ready to proceed. Mr. Garr and Doctor Samo, could you raise 20 21 your right hands? 22 (Witnesses sworn.) 23 KEITH D. GARR 24 a witness herein, having been first duly sworn, was

1	examined and testified as follows:
2	EXAMINATION
3	BY MR. PINELLI:
4	Q Mr. Garr, please state your full name for
5	the record.
6	A Keith Daniel Barry Garr.
7	Q What is your rank with the Fire
8	Department?
9	A Paramedic in Charge.
10	Q What was your last assignment before you
11	went on layup?
12	A Ambulance 69.
13	Q Sir, prior to today's date, you should
14	have been provided by the Fund staff a copy of
15	Board Exhibits marked 1 through 13. Did you
16	receive those documents?
17	A Yes, I did.
18	Q Did you have a chance to review them?
19	A Yes, I did.
20	Q Do you have any objection to their
21	admission into the record in support of your
22	application?
23	A No objection.
24	MR. PINELLI: Thank you, Mr. Garr.

1 Mr. Chairman, I move for admission of 2 Board Exhibits 1 through 13, without objection. 3 CHAIRMAN FORTUNA: Admitted without 4 objection. 5 (Board Exhibits 1 through 13 were admitted into evidence.) 6 7 BY MR. PINELLI: 8 Now, sir, understanding that the Board Q 9 has your affidavit and statement and your 10 application as to what happened to you, could you 11 briefly summarize for them today exactly what 12 happened to you on May 24th of 2019 that caused you 13 the injury that is the basis of this application? 14 Yes. We were carrying down a patient on Α 15 the front steps of his house. While doing so I had 16 the upper half of the stair chair and a monitor on 17 my left side when I slipped off the last step 18 coming down the stair. I jammed my hip somehow and felt a sharp pain. 19 20 Q Which hip was that? 21 My left hip. Α 22 Had you ever had any problems with your 23 left hip prior to this incident? 24 Α No.

1 Now following that incident, you then 2 underwent some medical treatment for your left hip; 3 is that correct? Correct. I had about nine months or more 4 Α 5 of physical therapy. Did that relieve the symptoms that you 6 Q 7 are having in your left hip? 8 It has relieved it, yes. Α 9 Are you experiencing currently any limitations or pain, et cetera, in your left hip? 10 11 Yes, I have limited motion. It is hard to bend over. I can barely put my socks on. Going 12 13 upstairs is almost impossible, except I have to go 14 one at a time. So I have pain with the motion 15 mostly and walking also. 16 Who is the doctor that is treating you 17 primarily for your hip? 18 Α Doctor Durkin out of Hinsdale Orthopedics. 19 20 Is Doctor Durkin recommending any additional medical treatment, besides the physical 21 22 therapy that you completed? 23 Α Not at this time. He did mention that I

possibly may need a hip replacement in the future.

```
1
               He's not recommending that you have it
2
     now?
 3
           Α
               He says I am too young, that I should
     just continue with the physical therapy.
 4
 5
           Q
               Are you currently undergoing physical
     therapy or are you in between?
 6
 7
               No, I am currently going three times a
8
     week.
9
               Since you went on layup have you engaged
           Q
     in any activity by which you earn income?
10
11
           Α
               No.
12
               Have you engaged in any sporting
13
     activities?
14
           Α
               No.
15
           Q
               Are you taking any medications prescribed
16
     by a doctor for your condition?
17
           Α
               No.
18
               MR. PINELLI: Thank you. That is all the
19
     questions I have of the applicant.
20
               CHAIRMAN FORTUNA: Trustees, any
21
     questions? None.
22
               MR. PINELLI: I would ask Doctor Samo to
23
     testify.
24
                         (Witness previously sworn.)
```

1	DANIEL SAMO, M.D.
2	a witness herein, having been first duly sworn, was
3	examined and testified as follows:
4	EXAMINATION
5	BY MR. PINELLI:
6	Q Sir, please state your name.
7	A Daniel Samo.
8	Q You're a physician, correct?
9	A Yes.
10	Q And a copy of your qualifications are
11	attached to the Board Exhibits?
12	A Yes.
13	Q Do you perform a function for this fund
14	in which you review medical records, examine
15	applicants and report to the Board?
16	A Yes.
17	Q Did you follow that procedure with
18	respect to Mr. Garr?
19	A Yes.
20	Q And have you filed a written record with
21	the Board marked as Board Exhibit 2?
22	A Yes.
23	Q Doctor Samo, would you please summarize
24	for the Trustees what your findings were with

1 respect to him?

A The history is the same as I got. He does have a history of a condition called osteogenesis imperfecta, which is a brittle bone disease. As a result of that, he has had several fractures through his life. Most of them before he was age 20. All of which have healed well, including the ones he has had most recently, including the right hip injury and his foot ankle fracture. He has other symptoms of the disease also.

But, again, basically, he had the nondisplaced fracture in the hip or a tear of the labrum of the hip. It was never really fully decided what it was. Whatever it was, it does leave him significantly symptomatic and he has a lot of difficulty even with the activities of daily life.

Q Doctor, given that underlying condition you say he had, would the incident he described be a mechanism that could cause the condition that he's experiencing?

A Yes. And his labral tear, even without an underlying condition, that would be a competent

```
1
     mechanism of his injury.
 2
               From your review of the records, other
           Q
 3
     than the physical therapy, are they recommending
     any other treatment that he undergo at the present
 4
 5
     time?
 6
          Α
               Not currently. The concept of hip
 7
     replacement has been discussed but again as he said
     not being considered currently.
8
 9
               Doctor, what essential job tasks is he
           Q
10
     limited from performing based upon what he reported
11
     to you?
12
               He can't climb, do stairs, ladders, carry
          Α
13
     heavy equipment, get in and out of a vehicle, walk
14
     on uneven surfaces, slanted roofs, et cetera.
15
               MR. PINELLI: Thank you. That is all the
16
     questions I have of the doctor.
17
               CHAIRMAN FORTUNA: Trustees, any
18
     questions for Doctor Samo?
19
               No questions.
20
               MEMBER MARTIN: Being that there are no
21
     questions, I'd like to make a motion to grant.
22
               MEMBER NANCE-HOLT: Seconded by Trustee
23
     Holt.
24
               CHAIRMAN FORTUNA:
                                   There's a motion to
```

1	grant by Trustee Martin. Seconded by Trustee Holt.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	MEMBER MARTIN: Mr. President, motion for
19	reexam consistent with the Fund's policy.
20	MEMBER VALENCIA: Second.
21	CHAIRMAN FORTUNA: Motion by Trustee
22	Martin. Seconded by Trustee Valencia.
23	Trustee Martin.
24	MEMBER MARTIN: Yes.

1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Holt.
9	MEMBER NANCE-HOLT: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: I would like to make a
16	motion to adopt the Findings of Fact as drafted and
17	presented by Fund counsel.
18	MEMBER MURPHY: Second.
19	CHAIRMAN FORTUNA: Motion to adopt
20	Findings of Fact by Trustee Martin. Seconded by
21	Trustee Murphy.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Holt.
8	MEMBER NANCE-HOLT: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Based on the Findings of Fact and
15	conclusions of law made by the Trustees, the
16	Trustees have voted to grant you the benefit you
17	have requested.
18	You will be notified by mail of the
19	Findings of Fact and the Board's decision.
20	Good luck to you.
21	MR. GARR: Thank you all very much. Be
22	very safe.
23	MEMBER MARTIN: Moving to 5-C, this would
24	be the Compensation Widow's Annuity application by

```
1
     Nicol Singleton, widow of Edward Singleton,
2
     Firefighter, Midway.
 3
               Without anything further, Vince, do you
     want to take the lead on this or Mary Pat?
 4
 5
               MR. PINELLI: I am happy to.
               I would indicate for the record that
 6
 7
     there has been presented to the Board Exhibits 1
     through 7, which you have had to review.
8
 9
               In reviewing those documents, I believe
     that there is sufficient evidence in this record
10
11
     presented on behalf of Ms. Singleton to award her
     this benefit.
12
13
               I would first of all move for
     introduction, Mr. Chairman, into the record of
14
15
     Board Exhibits 1 through 7.
16
               CHAIRMAN FORTUNA: Admitted without
17
     objection.
18
                (Board Exhibits 1 through 7
                were admitted into evidence.)
19
20
               MR. PINELLI: Thank you.
21
               Those documents indicate quite clearly
     the following evidence, which is undisputed.
22
23
               That is that Nicol Singleton was married
24
     to Edward Singleton from August 15th of 1991
```

through the date of his death of April 14th of 2020.

That Mr. Singleton was a firefighter assigned to Engine 127 at Midway Airport firehouse. There is evidence that he worked eight days in March and two days in April of this year 2020. And that he was admitted thereafter to Little Company of Mary Hospital on April 8th of 2020, with suspected COVID-19 symptoms.

The evidence also indicates that particular engine, Engine 127, subsequently had 12 members test positive for COVID-19.

The evidence indicates that there is a confirmed positive laboratory test on April 11th of 2020 in which it was confirmed that Firefighter Singleton had COVID-19 and that test was performed and the results were verified by the Illinois Department of Public Health.

Thereafter, on April 14th of 2020,

Firefighter Edward Singleton died and the cause of death listed as the primary cause on the death certificate is the novel coronavirus infection also known as COVID-19.

24 In addition, there is records indicating

that the Fire Commissioner of the City of Chicago concluded after a thorough investigation that the death of Firefighter Edward Singleton should be and would be classified as a Line of Duty Death.

Therefore, based upon that evidence presented to you, I believe there is sufficient evidence presented in this record to show that Firefighter Edward Singleton's death resulted from his exposure to and contraction of COVID-19.

I believe it meets the standards that have been put in the amended Section 6-140, that was recently amended to cover this particular situation.

I don't think there has been any evidence presented in the record to rebut the presumption that arises under Section 6-140, that Firefighter Singleton contracted his COVID-19 while in the performance of an act or acts of duty and it otherwise complies with the other requirements within that amended statute.

Based on that, I present this for the Board's determination on the application of his widow for a Duty Death Widow's Annuity.

MEMBER MARTIN: Mr. President, I would

1	like to make a motion, based on the exhibits, the
2	policy and the analysis provided by Fund's counsel,
3	to approve the Compensation Widow's Annuity for
4	Nicol Singleton.
5	MEMBER NANCE-HOLT: Second.
6	CHAIRMAN FORTUNA: There's a motion and a
7	second.
8	Trustee Martin.
9	MEMBER MARTIN: Yes.
10	CHAIRMAN FORTUNA: Trustee Soni.
11	MEMBER SONI: Yes.
12	CHAIRMAN FORTUNA: Trustee
13	Conyears-Ervin.
14	MEMBER CONYEARS-ERVIN: Yes.
15	CHAIRMAN FORTUNA: Trustee McPhillips.
16	MEMBER McPHILLIPS: Yes.
17	CHAIRMAN FORTUNA: Trustee Holt.
18	MEMBER NANCE-HOLT: Yes.
19	CHAIRMAN FORTUNA: Trustee Murphy.
20	MEMBER MURPHY: Yes.
21	CHAIRMAN FORTUNA: Trustee Valencia.
22	MEMBER VALENCIA: Yes.
23	CHAIRMAN FORTUNA: And I am a yes.
24	Nicol Singleton, if you would like to say

```
1
     something.
 2
               MS. SINGLETON:
                                I just wanted to thank
 3
     everyone for reviewing the case and at this point I
     just wanted to say thank you to everyone.
 4
 5
               MEMBER MARTIN: Thank you, Nicol.
     sorry I didn't acknowledge you on the phone.
 6
 7
     wasn't sure if you were there.
8
               Our condolences on behalf of every member
 9
     of our Board.
10
               MS. SINGLETON: I appreciate it.
11
     you for all your time.
12
               MEMBER MARTIN: If there is anything else
13
     we can do, we will be there.
14
               MS. SINGLETON: Much appreciated.
15
     you.
16
               MEMBER MARTIN: Let the record reflect
17
     that this is the Duty Disability Application for
18
     PIC Adam Swartz Detached Services, represented by
     counsel Jerry Marconi.
19
20
               Given that counsel know each other, I am
     going to turn it over to Vince.
21
22
               MR. PINELLI: Just so the record is
23
     clear, Mr. Marconi will be representing the
     applicant and I will be representing the Fund.
24
```

```
1
               That being said, we are ready to proceed.
2
     Counsel, could you please identify yourself for the
 3
     record?
 4
               MR. MARCONI: Jerry Marconi for the
 5
     record.
               MR. PINELLI: Mr. Marconi, good morning.
 6
 7
               Before we proceed, I would like to
     introduce for the record the Board Exhibits. Did
8
9
     you receive a copy of Board Exhibits 1 through 13?
10
               MR. MARCONI: I did.
11
               MR. PINELLI: Have you had a chance to
     review them with your client?
12
13
               MR. MARCONI: Yes, I have.
               MR. PINELLI: Do you have any objection
14
     to their admission into the record?
15
16
               MR. MARCONI: None at all.
17
               MR. PINELLI: Thank you.
18
               Mr. President, I move for admission of
     Board Exhibits 1 through 13, without objection from
19
20
     the applicant.
21
               MS. BURNS: On behalf of the President,
22
     that motion is granted.
23
                (Board Exhibits 1 through 13
24
                were admitted into evidence.)
```

1	MR. PINELLI: Counsel, do you wish to
2	call any witnesses?
3	MR. MARCONI: I would call Adam Swartz.
4	MR. PINELLI: Then I would ask that Mr.
5	Swartz raise his right hand, along with Doctor
6	Peters, who will be testifying for the Fund.
7	(Witnesses sworn.)
8	MR. PINELLI: Then we are ready to
9	proceed. Counsel, you may inquire.
10	MR. MARCONI: Thank you.
11	ADAM H. SWARTZ
12	a witness herein, having been first duly sworn, was
13	examined and testified as follows:
14	EXAMINATION
15	BY MR. MARCONI:
16	Q Good morning, Adam. Can you hear me?
17	A Yes, sir. Good morning.
18	Q This is a case where you filed an
19	application for disability benefits; is that
20	correct?
21	A Yes, sir.
21 22	
	A Yes, sir.

1 A Yes, sir.

- Q And you submitted an affidavit starting at the time of your injury; is that correct?
- A Yes, sir.
 - Q You reviewed that application prior to today and the information in there is accurate; is that correct?
 - A Yes, sir.
 - Q Just for the Board just briefly if you could tell the Board how exactly you incurred the injury to your back.
 - A I injured my back at Engine 13's firehouse. I was working Ambulance 74 for the day and my partner and I went out on a call. Came back to the firehouse and we were going through the equipment and we pulled out the stretcher out of the back of the ambulance and I experienced back pain.
 - Q How would you rate the back pain?
- 20 A It was horrible.
 - Q Were you taken to an emergency room immediately after experiencing that back pain?
- 23 A Yes, sir. I was transported to
 24 Northwestern Memorial Hospital.

- 1 Did you receive some treatment in the Q 2 emergency room?
 - They gave me muscle relaxers and told me to followup with my doctor. They did a push and pull test and that is about it. They thought it was possibly just a sprain in my back.
 - Prior to this day, did you have any issues with your lower back?
 - Α No, sir.
- After this day, the day after, did you 11 continue to have problems with your back?
- 12 Yes, sir. Α
 - Did you return to the emergency room? Q
- 14 Yes, sir. Α
- 15 Q Why?

3

4

5

6

7

8

9

10

13

16

17

18

19

20

21

22

23

- I got stuck on the toilet. My back Α basically locked up and my wife had to pick me up and carry me to the car. I was in such excruciating pain and I was incontinent of urine, which I wasn't unaware but it kind of sent a red flag to the doctor at the hospital I guess and then they did an emergency MRI.
- Q Did they prescribe any medications or refer you to any type of orthopedic doctor?

```
1
                I then went back to CFD Medical and then
2
     they referred me to Doctor Frank Phillips I
 3
     believe.
               At Midwest Orthopedics?
 4
           Q
 5
           Α
               Yes, sir.
               Did you also undergo physical therapy at
 6
7
     NovaCare Physical Therapy?
8
           Α
               Yes, sir.
9
               Did physical therapy relieve your back
           Q
10
     pain?
11
               No, sir.
           Α
12
               Prior to having your surgery, did Doctor
           Q
13
     Phillips do anything else, other than examine your
14
     back? Did he give you any steroid injections or
15
     refer you for steroid injections?
16
           Α
               Yes, sir. I had multiple, multiple
17
     epidurals.
18
           Q
               Did that relieve your back pain?
19
               No, sir.
           Α
20
               As a result of these conservative
21
     measures being unsuccessful, did Doctor Phillips
22
     perform surgery on you on or about January 15,
23
     2015?
24
               Yes, sir.
           Α
```

```
1
           Q
               And what was the nature of the surgery,
2
     if you know?
 3
               It's called a microdiscectomy.
               Where was that performed?
 4
           Q
 5
           Α
               That was at Rush Hospital, sir.
               After your surgery, did Doctor Phillips
 6
           Q
 7
     prescribe physical therapy for rehabilitation?
8
           Α
               Yes, sir.
 9
               Where did you go?
           Q
10
               NovaCare on the northwest side.
           Α
11
               Is that the same place that you went to
           Q
12
     prior to the surgery?
13
               Excuse me. I'm sorry. Sports and Ortho.
14
               Did you successfully complete the
15
     physical therapy after the surgery?
16
           Α
               Yes, sir.
17
           Q
               At some point did physical therapy stop?
18
           Α
               Yes, sir.
19
               Why?
           Q
20
               Because I reached MMI is what they told
           Α
21
     me and it wasn't helping me anymore.
22
               Were you still having pain?
23
           Α
               Yes, sir.
               Did you go back to Doctor Phillips?
24
           Q
```

1 Α Yes, sir. 2 Did Doctor Phillips refer you to any Q 3 other doctors to try to treat the pain in your back? 4 5 Α Doctor Timothy Lubenow. 6 Q Did you treat with Doctor Lubenow? 7 Α Yes, sir. 8 Just without going into a lot of detail, Q 9 generally what did Doctor Lubenow try to do for the 10 pain? 11 Epidurals, pain management, and stem cell 12 injection. 13 Did any of that treatment relieve the 14 pain in your back? 15 Α No, sir. 16 I am going to fast forward a couple of 17 years. As a result of your ongoing pain, did you 18 go back to Doctor Phillips? 19 Yes, sir. Α 20 Did he do another MRI? Q 21 Yes, sir. Α 22 Has Doctor Phillips recommended another 23 surgery to your back to relieve the pain? 24 Yes, sir. I am having a fusion. Α

1 I was going to ask you that. You have a 2 surgery scheduled for next week; is that correct? 3 Α Yes, sir. A lumbar fusion on Monday. Okay. I am assuming that given your 4 5 current complaints of pain and the fact you're 6 going to have back surgery on Monday, you cannot 7 perform the duties of a paramedic; is that correct? 8 That is correct, sir. Α 9 I am just going to ask you a couple Q 10 questions about what happened in the interim since 11 your injury since it appears that you went back to 12 work. 13 You had a prior application for 14 disability benefits after the back injury; is that 15 correct? 16 Α Yes, sir. 17 Fair to say that you did not want to go Q 18 off on disability and worked hard to try find something within the Fire Department; is that 19 20 correct? 21 Α That is correct, sir. 22 Going back to October of 2015, the commissioner, Commissioner Santiago, did he find a 23

place for you within the Fire Department that would

1 accommodate your back injury and problems? 2 Yes, sir. Α 3 Where was that at? I worked for the General Counsel Subpoena 4 Α 5 Compliance Legal Affairs. Was that basically clerical duties? 6 Q 7 Yes, sir, only clerical. Α 8 Who was your supervisor? Q 9 Α Erin Decamp. 10 At some point while you were working in 11 that position, did they transition over to civilian 12 employees? 13 Yes, sir. I trained my replacement. 14 So you had no choice in leaving the Legal 15 Department; is that correct? 16 Α That is correct. 17 Did you continue to try to find work 18 within the Department so that you would not have to 19 file for disability? 20 Yes, sir. Absolutely. Α 21 Were you successful? Q 22 I got a temporary assignment due to me 23 having my Lead Instructor so I went and taught down at EMS Academy teaching EMT school. 24

1 Did that job teaching come to an end at 2 some point? 3 Α Yes, sir. 4 Q Why? 5 Α There was a change in administration. 6 After your teaching position was phased Q 7 out, did you again try to find something within the 8 Fire Department to continue to work? 9 Α Yes, sir. 10 Did you go through the -- go ahead. 11 I applied for an American with Disability Α 12 Act. 13 I noticed in the Board Exhibits, I think Q 14 it is Group Exhibit 1E, your request for an accommodation was denied; is that correct? 15 16 Α That is correct. 17 And as a result of that you laid up; is 18 that correct? 19 That is correct. Α 20 Is it your intent after you heal, 21 hopefully, from your back surgery that you will at 22 least come back to work or find another position 23 within the Fire Department? 24 Sir, all I want to do is work, that is

```
1
     all I have asked for over and over and over. And,
2
     unfortunately, they won't let me back unless I am
 3
     100 percent.
               MR. MARCONI: Okay.
                                     I have nothing else,
 4
 5
     Vince.
               MR. PINELLI: May I inquire, Mr.
 6
 7
     President?
8
               CHAIRMAN FORTUNA: Any questions from the
9
     Trustees?
10
               No questions.
11
               Go ahead, Vince.
12
               MR. PINELLI: Thank you.
13
                          EXAMINATION
                        BY MR. PINELLI:
14
15
           Q
               I just have a few questions, Mr. Swartz.
16
               After the microdiscectomy surgery, when
17
     approximately did you return to duty with the Fire
18
     Department?
19
               October, 2015, I was brought back.
20
               When you were brought back, it was in the
     position working with the subpoenas in the Law
21
22
     Department; is that right?
23
           Α
               Yes.
24
               So you never returned to full active
           Q
```

1 duties with the Fire Department following that 2 initial injury in September of 2014; is that 3 correct? That is correct, sir. 4 I went to Α 5 headquarters and cried if I could stay and work. During the whole period of time that you 6 7 worked after you went back until you went off the most recent time, did you continue to experience 8 9 problems with your back? 10 Α Yes, sir. 11 Even though you were working a desk job Q or basically a desk-type job, what kind of problems 12 13 were you having? 14 I can't pickup my kids. I can't pickup Α 15 anything heavy. I have problems bending over. I 16 have pain. I mean, I can go on but. 17 Did you continue to experience pain even 18 though you were working in an accommodated position? 19 20 Α Yes, sir. It was never accommodated officially. 21 22 I understand. I use that in the 23 colloquial sense. I didn't mean it is an official

24

accommodation.

1 Α Understood, sir. 2 You were not working full duties with the Q 3 Fire Department, correct? 4 Α Correct. 5 This most recent application for the accommodation that is in the Board Exhibits 1E, it 6 7 indicates that it was denied because the requested accommodation poses an undue hardship on the 8 9 operations of the City. Was that explained to you 10 at all what that means? 11 Not really, other than the fact that they won't let me back because of my back. 12 13 Okay. Last question. Since you went on layup for this most recent time, have you engaged 14 15 in any activity by which you earn income or money? 16 Α No, sir. 17 MR. PINELLI: That is all the questions I 18 have. 19 CHAIRMAN FORTUNA: Trustees, any 20 questions? 21 No questions. MR. PINELLI: Mr. Marconi, any follow-ups 22 23 on that? 24 MR. MARCONI: No, sir.

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1
               MR. PINELLI: Thank you. Would you rest
2
     subject to my calling Doctor Peters to testify?
 3
               MR. MARCONI: Yes, I would rest.
               MR. PINELLI: Okay. I will call Doctor
 4
5
     Peters.
 6
                         (Witness previously sworn.)
7
                    MICHAEL I. PETERS, M.D.
8
     a witness herein, having been first duly sworn, was
     examined and testified as follows:
9
10
                          EXAMINATION
11
                       BY MR. PINELLI:
12
               Sir, please state your name.
           Q
13
               Michael I. Peters.
           Α
14
               You're a physician, correct?
           Q
15
           Α
               Yes, I am.
               Are a copy of your qualifications
16
17
     attached to the Board Exhibits?
18
           Α
               Yes.
               Do you perform a function as a consultant
19
           Q
20
     to this fund?
21
               Yes, I do.
           Α
22
               In that capacity do you review medical
23
     records, interview applicants and report to the
24
     Board?
```

1 A Yes.

4

8

9

10

11

15

16

17

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19

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21

22

Q Did you follow that procedure with 3 respect to Mr. Swartz?

Yes, I did.

Α

- Q Did you conduct a telephone interview of him?
- 7 A Yes, I did.
 - Q And did you find that the information he provided you regarding his condition and history was consistent with the medical records information you reviewed?
- 12 A Yes, it was.
- Q Doctor, could you please summarize for us
 what his current condition is?
 - A Mr. Swartz has continued left-sided radiculopathy, lumbar radiculopathy, L-4/L-5 neurologic distribution. He's describing severe pain, burning paresthesias. Most activities if they are done for too long will exacerbate this, including standing, walking. He has trouble going up and down stairs. It sounds like he has constant symptoms.
- Q Doctor, did you find that these symptoms trace all the way back to the original injury that

```
1
     he had in November of '14?
2
               Yes, there is documentation in the
          Α
 3
     medical record that the injury he had while pulling
     the stretcher in November of '14 that those
 4
 5
     symptoms never really went away.
 6
          Q
               Based upon his report of those symptoms,
 7
     do you believe he could perform his full
8
     unrestricted duties with the Fire Department?
 9
          Α
               No, he could not.
10
               MR. PINELLI: Thank you. That is all the
11
     questions I have.
12
               MR. MARCONI: Trustees, any questions for
13
     Doctor Peters?
14
               Hearing none.
15
               MR. PINELLI: Mr. Marconi, do you have
16
     any questions of the doctor?
17
               MR. MARCONI: I do not, doctor.
18
               MR. PINELLI: Thank you.
               MEMBER MARTIN: Mr. President, at this
19
20
     time, given no further testimony, I would like to
21
     make a motion to grant.
22
               MEMBER NANCE-HOLT: Second.
23
               CHAIRMAN FORTUNA: There's a motion to
24
     grant by Trustee Martin. Seconded by Trustee
```

1	Holt.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	MEMBER MARTIN: I'd like to make a motion
19	for reexam consistent with the Fund's
20	reexamination policy.
21	MEMBER MURPHY: Second.
22	CHAIRMAN FORTUNA: There's a motion for
23	reexam by Trustee Martin. Seconded by Trustee
24	Murphy.

_	
1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: At this time I would like
18	to make a motion to Adopt the Findings of Fact as
19	drafted by Fund counsel and presented by Fund
20	counsel.
21	MEMBER VALENCIA: Second.
22	CHAIRMAN FORTUNA: Motion to adopt
23	Findings of Fact by Trustee Martin. Seconded by
24	Trustee Valencia.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	Based on the Findings of Fact and
18	conclusions of law made by the Trustees, the
19	Trustees have voted to grant you the benefit you
20	have requested.
21	You will be notified by mail of the
22	Findings of Fact and the Board's decision.
23	Adam, good luck to you.
24	MR. SWARTZ: Thank you, very much, you

1	all. I appreciate all your time and God bless you.
2	CHAIRMAN FORTUNA: I believe we can move
3	on.
4	MEMBER MARTIN: Moving on to Item 9, the
5	Expenditures. Item 9-A, which is the
6	Administrative Expenses for Board Review and
7	approval. I'd like to make a motion to approve.
8	MEMBER MURPHY: Second.
9	CHAIRMAN FORTUNA: Motion to approve by
10	Trustee Martin. Seconded by Trustee Murphy.
11	Trustee Martin.
12	MEMBER MARTIN: Yes.
13	CHAIRMAN FORTUNA: Trustee Soni.
14	MEMBER SONI: Yes.
15	CHAIRMAN FORTUNA: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes.
18	CHAIRMAN FORTUNA: Trustee McPhillips.
19	MEMBER McPHILLIPS: Yes.
20	CHAIRMAN FORTUNA: Trustee Holt.
21	MEMBER NANCE-HOLT: Yes.
22	CHAIRMAN FORTUNA: Trustee Murphy.
23	MEMBER MURPHY: Yes.
24	CHAIRMAN FORTUNA: Trustee Valencia.

1 MEMBER VALENCIA: Yes. 2 CHAIRMAN FORTUNA: And I am a yes. Motion carries. 3 MEMBER MARTIN: Mr. President, moving on 4 5 to Item 9-B, which would be the Budget Update. 6 Steve, do you want to give an update on 7 our Budget? MR. SWANSON: Yes, thank you. 8 9 I did want to let the Board know where we 10 are, particularly in this year with the difficult 11 financial times, how we are managing our Budget. 12 We currently have 16 full-time budget 13 positions. Two of those are vacant so we are 14 operating our Fund with 14 full-time staff. I 15 think that compares very favorably to a fund our 16 size. 17 Also we have expended 42 percent of our 18 Administrative Budget so far year-to-date. We're expecting to stay within our Budget for this year 19 20 and given that we are a little more than halfway 21 through the year we continue to watch our expenses 22 very closely. 23 MEMBER MARTIN: If there aren't any 24 questions, I'd like to make a motion to spread the

1	
1	Budget Update on the record.
2	MEMBER NANCE-HOLT: Second.
3	CHAIRMAN FORTUNA: There's a motion to
4	pup it on the record. Motion by Trustee Martin.
5	Seconded by Trustee Holt.
6	Trustee Martin.
7	MEMBER MARTIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee
11	Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER McPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Holt.
16	MEMBER NANCE-HOLT: Yes.
17	CHAIRMAN FORTUNA: Trustee Murphy.
18	MEMBER MURPHY: Yes.
19	CHAIRMAN FORTUNA: Trustee Valencia.
20	MEMBER VALENCIA: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	Motion carries.
23	MEMBER MARTIN: Mr. President, I would
24	like to move to Item 10, Legal Update.

1	MS. BURNS: Really there is nothing to
2	update, other than the fact that Underwood got
3	remanded back down to the Circuit Court Judge.
4	We are waiting to get the Court's mandate
5	to figure out where we are going to go and how it's
6	going to go forward.
7	Sarah is working on that with the other
8	pension funds so certainly by August she will have
9	a better update.
10	MEMBER MARTIN: Given that, I would like
11	to spread the Legal Update on the record.
12	MEMBER SONI: Second.
13	CHAIRMAN FORTUNA: There is a motion to
14	put the Legal Update on the record by Trustee
15	Martin. Seconded by Trustee Soni.
16	Trustee Martin.
17	MEMBER MARTIN: Yes.
18	CHAIRMAN FORTUNA: Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee
21	Conyears-Ervin.
22	MEMBER CONYEARS-ERVIN: Yes.
23	CHAIRMAN FORTUNA: Trustee McPhillips.
24	MEMBER McPHILLIPS: Yes.

1 CHAIRMAN FORTUNA: Trustee Holt. 2 MEMBER NANCE-HOLT: Yes. 3 CHAIRMAN FORTUNA: Trustee Murphy. MEMBER MURPHY: Yes. 4 5 CHAIRMAN FORTUNA: Trustee Valencia. MEMBER VALENCIA: Yes. 6 CHAIRMAN FORTUNA: And I am a yes. 7 Motion carries. 8 9 MEMBER MARTIN: Mr. President, moving on 10 to Item 11, which would be Consideration and 11 Approval of 2020 Funding Resolution for Payment Year 2022. 12 13 Steve, would you like to review, along 14 with maybe Jackie, to the Board? 15 MR. SWANSON: Yes. We did work with the 16 actuaries and Fund legal counsel in developing this 17 year's resolution to be submitted to the City for 18 the year 2022. It includes the actuarial funding, plus the Brass Bill, plus also additionally the 19 20 healthcare subsidies that weren't part of the 21 original actuarial funding that was determined by 22 the actuaries. Again, we used the actuaries for 23 both the Brass Bill portion of it and the 24 healthcare subsidies as well; those payments.

1 I don't know if Jackie has anything to 2 add beyond that. 3 MEMBER MARTIN: Jackie? MS. VLAHOS: No. I agree with what Steve 4 5 said. We worked together with the actuaries and I 6 think we're pretty confident in the numbers and we 7 confirmed with the attorneys as well to make sure all our numbers included all the calculations per 8 9 required by the Code. 10 MEMBER MARTIN: Given that update, I 11 would like to make a motion to approve the Funding 12 Resolution for payment year 2022. 13 MEMBER MURPHY: Second. 14 MEMBER MCPHILLIPS: Can I ask a quick 15 question, Steve or Jackie? How come there's a 16 difference between what we have in the Funding 17 Resolution, 368.4 million, versus what is in 18 Segall's report? It is only off by 1.3 million and this number is higher than the one in the 19 20 resolution. 21 MS. VLAHOS: I am not sure what number 22 you are referring to in the actuary report, but 23 basically we have to add in additional amounts,

which would be the Brass Bill as well as we also

1 have to add in the liability for the new healthcare 2 subsidies. 3 MEMBER MCPHILLIPS: The Brass Bill is 1.6 million according to the Resolution? 4 5 MS. VLAHOS: Yes. MEMBER MCPHILLIPS: Isn't that included 6 7 in the initial number that the actuaries give us or do they break that out? 8 9 MS. VLAHOS: Which number are you 10 referring to? Which number of the actuary are you 11 referring to? 12 MEMBER MCPHILLIPS: I am looking at Page 13 15 of the report, Statutory Contributions for 2021, 367 million 89 thousand. 14 15 MS. VLAHOS: I am not sure if it is in 16 your packet or not, but they provide us with a 17 little bit further of a detail. Basically, you 18 don't want to double count the Brass Bill. order to basically break it out to identify that we 19 are asking for the Brass Bill, they sent us a 20 letter, which basically says the amount of the 21 22 actuarial contribution breaking out the Brass Bill. 23 We can share the letter with you.

Basically for that amount on the

```
1
     schedule, they say that it is approximately
2
     366 million 064, plus the Brass Bill.
 3
               MEMBER MCPHILLIPS: That's fine, for sake
     of brevity for the rest of the meeting. We will
 4
 5
     figure this out later.
               It is okay because the Resolution is
 6
 7
     higher than what the actuaries calculated but I
8
     thought it would have been a simple explanation how
 9
     to get from one number to the other.
10
               We will go on, that's okay. Thank you.
11
               MEMBER MARTIN: Mr. President, there is a
12
     motion on the table to approve the Funding
13
     Resolution.
14
               CHAIRMAN FORTUNA: There's a motion on
15
     the floor by Trustee Martin. Seconded by Trustee
16
     Murphy.
17
               Trustee Martin.
18
               MEMBER MARTIN: Yes.
               CHAIRMAN FORTUNA: Trustee Soni.
19
20
               MEMBER SONI: Yes.
21
               CHAIRMAN FORTUNA: Trustee
22
     Conyears-Ervin.
23
               MEMBER CONYEARS-ERVIN: Yes.
24
               CHAIRMAN FORTUNA: Trustee McPhillips.
```

1	MEMBER McPHILLIPS: Yes.
2	CHAIRMAN FORTUNA: Trustee Holt.
3	MEMBER NANCE-HOLT: Yes.
4	CHAIRMAN FORTUNA: Trustee Murphy.
5	MEMBER MURPHY: Yes.
6	CHAIRMAN FORTUNA: Trustee Valencia.
7	MEMBER VALENCIA: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	Motion carries.
10	MEMBER MARTIN: I would like to move on
11	to the Consideration of Approval of Auditor of the
12	RFP.
13	Steve and Jackie, do you want to speak to
14	this?
15	MR. SWANSON: I did work with Jackie and
16	our Fund Comptroller, also Lorna, our Chief
17	Investment Officer. The RFP has been reviewed by
18	Fund legal counsel. They signed off on it.
19	This is something that I did tell the
20	Trustees when we did the actuaries last year that
21	
	we would be reviewing auditors this year. That we
22	we would be reviewing auditors this year. That we would do a RFP and that we would possibly be
22	

Jackie or Lorna, do you have anything to
add?
MS. VLAHOS: I don't have anything to
add.
MS. SCOTT: No, nothing to add.
MEMBER MARTIN: Motion to approve the RFP
for an Auditor.
MEMBER NANCE-HOLT: Second.
MEMBER MARTIN: Motion to approve by
Trustee Martin. Seconded by Trustee Holt.
Trustee Martin.
MEMBER MARTIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER McPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Holt.
MEMBER NANCE-HOLT: Yes.
CHAIRMAN FORTUNA: Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Valencia.

1 MEMBER VALENCIA: Yes. 2 CHAIRMAN FORTUNA: And I am a yes. 3 Motion carries. MEMBER MARTIN: Mr. President, we have to 4 5 go back to Item 7, Commodities Review and the Investment Report. Without anything further, 6 7 Lorna. MS. SCOTT: Commodities Review will go 8 9 over to Brady. 10 MR. O'CONNELL: I will get started and 11 then just walk through these next several pages. 12 As background, we received a question, a great question, from Trustee Conyears-Ervin 13 14 regarding the strategic allocation to commodities. 15 And to summarize the question, which is 16 listed on the next page, it comes down to whether 17 or not it makes sense to maintain a commodity 18 allocation in the current environment where the economic outlook is uncertain. 19 So we have included a few terms here that 20 21 we may use. The commodity allocation has been in 22 place to provide a hedge against a spike in 23 inflation. Inflation is generally a rise in the 24 general price of goods in the economy and it is

conventionally measured by the Consumer Price Index or the CPI.

So terms related to inflation that you might hear throughout this discussion include deflation, which is a decline in the general price of goods and commodities, or disinflation which is simply a reduction or a decline in the level of inflation. Inflation remains positive but the level decreases rather than going up.

So on the next page just to better frame the commodity allocation as part of the Fund's broader asset allocation strategy, we do currently have 2 percent allocation to commodities. This illustrates the Fund's broader target asset allocation strategy that was adopted after the Asset Liability Study in 2017.

What we did as part of that was broaden the Fund's exposure to what we call real assets and real assets are investments of that more direct sensitivity to inflation.

Prior to that study commodities was really the primary real asset in the portfolio.

Subsequent to the Asset Liability Study, a lot of you will recall the work that we have done in

adding managers in the U.S. TIPS or Treasury

Inflation-Protected Security, asset category,

global REITs or Real Estate Investment Trusts and

core real estate.

Some of your peers that invest in real assets also include other inflation sensitive asset classes like infrastructure, timber, natural resources or farmland. So investments that are more directly related to the direct inputs in commodities are things that we consume.

In 2017, we also reduced the allocation to target to commodities from 3 percent to 2 and we also switched the commodity benchmarks subsequent to that study. We have used two different benchmarks to structure our investments.

We switched to one called the Bloomberg Commodities Index and why that is important is because that index caps the exposure to energy or oil and gas at about 30 percent of the benchmark.

Prior to using that for both managers, we had used another benchmark that had energy based on market weight. So it was about 70 percent of the index was exposed to oil and gas.

So what we did was to try to limit the

commodity portfolio's exposure to the wild swings
in the energy and natural gas market.

Right now we are using this Bloomberg

Commodity Index. About 30 percent of that is oil

and gas just to provide the Trustees some context.

The rest of it is about 23 percent grains, 18

percent industrial metals, 15 percent precious

metals, 17 percent what is called "soft", which is

coffee, sugar, cotton and then about 6 percent of

that index invests in livestock futures.

All things that we consume are kind of directly linking to fundamental inputs into the economy.

That is the background, if we can turn to the next page. This is an illustration of various real asset categories. The majority of which the Fund invests in now but some of which we don't.

The goal here is to illustrate the wide variety in performance in any given year of these various real asset strategies.

So our goal in making changes subsequent to 2017 was to make sure we didn't have all our real assets invested in just commodities and to diversify into things that have different

1 performance characteristics.

So I think it's important as we think about commodities to view it as part of this broader real asset strategy. Just bear in mind that when commodities perform poorly as they have for much of the past ten years as energy has really been decimated, they are a part of this asset class or category that has a broad range of performance over time.

Next slide, please.

One of the reasons commodities are in the portfolio is that they have a very strong link to changes in inflation.

So this chart shows various real asset categories and the beta or movement of this asset class relative to changes in the Consumer Price Index or CPI.

So the commodity index is that green one towards the top, which has a very strong positive reaction to changes in CPI over the past ten years.

There are other things, such as infrastructure and natural resources, equities, that also have a similar strong positive beta to inflation.

So if we can turn to the next page, we will talk a little bit about -- we will transition from where the portfolio is now to what is our outlook over the long-term and what is kind of some of the short-term views on inflation.

So when we did that Asset Liability Study in 2017 we relied on Callan's long-term capital market assumptions, which is what we expect various asset classes to do from a return and risk standpoint over the coming ten years.

We don't show here the correlation among asset classes but that is another key input. Our goal as part of that Asset Liability Study is to assemble a portfolio that has the highest return per unit of risk over time.

When we look at some of the individual asset classes, here we have highlighted the real asset categories, you can see commodities have a very modest expected return. Slightly higher than the inflation that we expect over the ten years but the volatility level is very high.

So we know on a standalone basis commodities bring very little to the table. It is risky. It is low return but there has been at

1 least historically a benefit from a low correlation 2 to the other asset classes and that is one of the 3 reasons it's been in place for over ten years. 4 From a long-term prospective, though, 5 there are other real asset categories that the Fund doesn't have currently. 6 7 Looking at this page, we have TIPS, we have core real estate. We do not currently have 8 9 infrastructure. We do have commodities. We do not have timber and we do not have farmland. 10 11 So if we can shift to the next page, we will talk a little more about kind of the current 12 13 market conditions and the shorter term outlook. 14 This is a chart from the Federal Reserve 15 Bank. 16 MEMBER CONYEARS-ERVIN: If you go back to 17 the previous scene, or maybe you will talk about 18 this, why commodities over infrastructure over timber over farmland? 19 20 MR. O'CONNELL: That is a great question. 21 So from an asset allocation standpoint, those other

So from an asset allocation standpoint, those other categories, they do from a risk and a return solely standpoint, they do look superior. I think there's a strong case to be made for adding those.

Now the trick with infrastructure and timber and farmland is how we access these investments.

So the commodity portfolio is currently very liquid. It invests in primarily derivatives tied to commodities so exchange traded.

We have talked when we discussed the Fund's asset allocation in the past, in particularly as we pursued the increase to private equity, we focused on the Fund's liquidity and the need to raise cash.

Timber and farmland are very illiquid investments. So if we needed to raise cash, it is very difficult to go out and harvest or sell farmland or timber.

Infrastructure is both liquid and illiquid. And one of the conclusions here is that we do think it makes sense to think about making a change, but in order to do so we think the Trustees need to spend some time understanding infrastructure and maybe natural resource equities as alternatives and doing some education before we make any change.

MEMBER MARTIN: Just to echo, if I may,

echo Brady's comments, just from my recollection
going back when we originally made these
investments in commodities, our biggest concern was
our funding ratio and liquidity going forward so
that is just from my many years of being up there.

MR. O'CONNELL: That prospective I think is great, that institutional knowledge of when this allocation was established, and I think this is one of the Fund's great challenges particularly when we look at your asset allocation relative to peers is making sure we keep an eye on the amount that is invested in less liquid investments like private equity. Because if we do need to raise cash, you don't want to be a forced seller in those illiquid investments because you will pay a high price for liquidating assets in a stressed environment.

MEMBER CONYEARS-ERVIN: With commodities only being 2 percent of the portfolio, are we even looking to ever sell those in liquidation? I can't recall that we have done that.

MR. O'CONNELL: Well, that is an excellent point. So the performance of commodities has been poor year-to-date and really for the past ten years and historically it's been driven a lot

by how energy has performed.

The first half of this year energy markets were decimated. It seems like it is old news but you may recall Saudi Arabia and Russia got into a price war regarding oil, which is a big component of the energy market and a decent junk of this index.

But why it is here is really -- you know, we have talked to our clients about thinking of it like in an insurance policy against a spike in inflation.

So we haven't really seen inflation after the global financial crisis. I think there were a lot of people that expected inflation because of the federal government and the United States and governments globally and central banks were stimulating the economy in a significant way. They were creating money. They were lowering interest rates. There was a sense that at some point that might lead to a general rise in inflation.

Some of your investment managers are thinking about that now. So in the wake of the coronavirus and the current economic situation, there's been similar stimulus by the Federal

Government and monetary policy measures to try to stimulate the economy.

Those are inflationary. The impact of that can be inflationary.

Deflation has been an issue for an economy like Japan where they kind of struggled to see economic growth or a rising inflation. From an economic standpoint, we do want to see low and modest inflation and the Federal Reserve Bank has that as one of its mandates.

The current outlook for inflation is fairly modest. What we can't do is anticipate the spikes in inflation. This commodity allocation has almost served like insurance against that and it hasn't been insurance that we have needed for some time so that is why we have reduced it over time, but if there was that spike in inflation and we saw prices rise as has been the case in the 70's going into the 80's, then that is when this would benefit. But I think it is an excellent point that on a standalone basis this investment has been disappointing.

MEMBER CONYEARS-ERVIN: I appreciate everything that you're saying.

MR. O'CONNELL: Great.

So the current outlook here, what we can do is try to see what the market is telling us that the future inflation will be. We can do that by looking at what they call the break even inflation rate.

So if we look at U.S. treasury bonds for the ten-year time horizon and the U.S. treasury inflation protected securities, those are treasury bonds that have inflation sensitivity built into them.

The difference between those two is really what the market is telling us inflation will be. This chart plots the difference between these two, this break even yield, over several years.

You can see it's been fairly range bound for most of the time between 1 and 2 percent. As in the wake of the global financial crisis, we kind of struggled to see sustained growth.

As the coronavirus epidemic hit earlier this year and there was a market reaction and the economic downturn that dropped significantly, but it has recovered and the market is telling us now that it expects a level of inflation that will be

positive but more modest than what we have seen in the recent past.

We went out to some of your managers that have a distinct outlook on the markets that manage the commodities and fixed income portfolio and their views are on the next page. They also expect inflation to be more subdued than it has been in the past but they do also worry longer term that the money that we see being spent by governments around the world and the stimulus by central banks will have inflationary pressure.

So the worry about deflation I think is small but there's a very good case to be made that even if deflationary risk is low that there's a good case to be made for revisiting the role of commodities and replacing it.

is on the next page. Our goal is I think to make sure the trustees are aware of some of the other real asset alternatives so we are proposing doing some education with the Board on infrastructure, natural resources and any other real assets that the Trustees may find of interest. And then making sure we revisit as part of the Asset Allocation

Study that 2 percent to commodities doesn't make sense to just reallocate that in current asset classes or should we think about including one of these new asset categories and looking at not just the return and the risk but the impact on the total portfolio.

I mentioned commodities tend to be less correlated with the other asset classes so when we look at total fund risk and return there is some benefit. But I think after the trustees have heard a little more detail on infrastructure and natural resources, we can do a little deeper dive and I think have a discussion about what we want to do with that 2 percent target.

MEMBER CONYEARS-ERVIN: To your point of, you know, with inflation and deflation, I get what you are saying and the reason that we have it. As you mentioned, I think going forward it might be a way for us to figure out another form of achieving the goal that you are recommending, which makes sense of the goal that you are recommending but as you said commodities have been a disappointment.

Just trying to figure out the balance, right?

MR. O'CONNELL: Yes. It a great question

1 and a great point and I think to answer that 2 initial question more directly, the deflationary 3 risk now is low but it still makes sense to look at commodities and see if we can't make an improvement 4 5 in the portfolio there. 6 Those are really the next steps that are 7 outlined on the next page and what we're recommending. 8 9 We can prepare materials. I can work with Lorna and the rest of the Board to determine 10 11 when you would like to do that and we will talk in a little more detail on these alternative asset 12 13 classes. MEMBER CONYEARS-ERVIN: Thank you. 14 MS. SCOTT: 15 Thanks, Brady. 16 The last item is the Investment Report. 17 So, Mark, if you want to clear your 18 screen for Item I. My plan is really to cover performance. 19 20 First a quick update where we stand with 21 our new investments. We completed legal 22 contracting with Adams Street and Pomona. 23 contracts are underway with Brown and Highclere.

There is a good chance that we could fund Brown by

24

1 the end of the month.

Performance is the next slide. This chart shows the one month performance for a variety of asset classes for June.

You can see June was a very, very strong month for investors. Some quick themes. Emerging markets did very well. They were up 7.4 percent.

U.S. growth stocks another strong month up 4.3

percent. Outperforming value stocks again. Value stocks are down 0.5 percent. Small cap was up 3.5.

Did better than large cap.

Looking at the next slide, it shows the returns for year-to-date for June 30th. As you see most asset classes are still very negative for the year. U.S. growth stocks up 9 percent are the clear winner.

We have investments in growth stocks but we have more investments in the value stocks which were down 16.7 percent and small cap down 13 percent. Both of these tilts are going to hurt us versus the U.S. Equity Policy Index in that first column which is down 3.5 percent.

Just kind of remember how these value stocks and small cap stocks are doing when we talk

1 about aggregation.

The next slide shows our performance versus our policy target. For the month, the Fund was up 2.1 percent ahead of the policy. You can see the second quarter was a very strong month. The Fund was up 13.7 percent outperforming the policy target. The second quarter wasn't enough. Year-to-date we are down 6.4 percent behind the policy target which was down 3.8 percent. It was a strong quarter but there is still more room to grow.

MEMBER CONYEARS-ERVIN: I want to ask you or Callan this question. I noticed that in April and May, probably more so May but even in April, we started to see an upward turn and even June was an upward turn but it was of a much lower impact than April and May. Do we know why that is?

MS. SCOTT: I think the market is readjusting a little bit as far as expectations.

Brady, feel free to chime in here.

April was a big up shoot after March was so low and now they are pricing in a little bit more steady growth. We are seeing a recalibration of expectations a little bit.

MR. O'CONNELL: Yes. My only comment would be that broadly the equity markets tend to lead economic conditions. So we saw a steep drop in March because the equity markets kind of saw the economic downturn coming and they thought it was really bad and we thought it was really bad and as we got clarity to what the impact was on jobs and the economy and what the outlook was for vaccines and treatment and containment there was a pretty significant rebound.

So just as you think about this portfolio in the current economic downturn and job growth, it's just important to remember that these equities tend to lead all that in good ways and bad ways.

MEMBER CONYEARS-ERVIN: Okay. Thank you.

MS. SCOTT: The next slide looks closer at the performance versus the policy target.

This slide is geared to try to explain why we're underperforming or outperforming. There are two ways we are going to perform differently from that target policy. One way is by having different weights in the various asset classes and we talk about being underweight in private equity or having too much class cash and these small

differences will create performance differences
against the policy target.

These differences won't be big because we are within range and very close to that target but there will be small differences.

The other way that we perform differently from that policy target is by using active management. We do believe in active management and we also have style tilts in there.

For example, as I mentioned, that value bias, that small cap tilt bias and the U.S. equity portfolio. These characteristics generally outperform over the long run but in the short run they can underperform and that is what we are seeing a little bit now.

Looking at this attribution slide, you can see year-to-date we are underperforming by 2.7 percent. 60 basis points. So 0.6 percent is due to these small asset allocation differences, not being quite on target with our policy. But mostly our underperformance is due to the active management and that is 2.1 percent.

The next slide breaks that down a little further. So year-to-date the Fund is down 6.4

percent. We can see that in column three. The
policy target is in column four.

You compare these two columns. We see underperformance across a variety of the asset classes. U.S. equity, international equity, fixed income and liquid diversifying.

Within U.S. equity, the biggest attraction is our tilt to value. But positive active management, like from value manager Neuberger Berman, actually could offset some of that. Neuberger Berman is outperforming their value benchmark.

For the international equities, value managers are causing underperformance there.

Brandes and LSV, our value managers, both underperformed. And then within fixed income underperformance by Loomis and Western, who were invested in those higher yielding riskier parts of the market, and both of those portfolios actually had a nice rebound in Q2 and hopefully there is more to come there. Within liquid diversifying, Black Rock is underperforming.

That is the performance in a nutshell.

The rest of the report is really for your review.

```
1
     There is more data. Also within board pack, there
2
     is the quarter reports on the private market cash
 3
     flows and on security lending. Again, I will leave
 4
     those for you.
               So with that I will conclude the
 5
     Investment Report.
 6
 7
               MEMBER MARTIN: Are there any questions
     on the Investment Report?
8
 9
               Mr. President, I'd like to make a motion
10
     to spread the Investment Committee Report on the
11
     record.
12
               MEMBER MURPHY: Second.
13
               CHAIRMAN FORTUNA: There's a motion to be
14
     put on the record by Trustee Martin. Seconded by
15
     Trustee Murphy. All in favor?
16
                    (Chorus of ayes.)
17
               CHAIRMAN FORTUNA: Opposed?
18
               Hearing none, motion carries.
               MEMBER MARTIN: Madam Treasurer, before
19
20
     we adjourn, I would just like to apologize.
     you had your conference for investing and given my
21
22
     surgery and some myriad of family issues, I was
23
     unable to attend. But any time you'd like to speak
24
     to me, I would be more than happy to listen.
```

1	Given that, I'd like to make a motion to
2	adjourn.
3	MEMBER NANCE-HOLT: Second.
4	CHAIRMAN FORTUNA: Motion to adjourn by
5	Trustee Martin. Seconded by Trustee Holt. All in
6	favor?
7	(Chorus of ayes.)
8	CHAIRMAN FORTUNA: Opposed?
9	Hearing none, motion carries.
10	Thank you, everyone.
11	
12	(WHICH WERE ALL THE PROCEEDINGS
13	IN THE ABOVE-ENTITLED MEETING
14	AT THIS DATE AND TIME.)
15	
16	
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	Dobbis Typnell DEBBIE TYRRELL, CSR
18	License No. 084-001078
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> DEBBIE TYRRELL REPORTING SERVICE (630) 292-1742

1	BEFORE
2	THE LEGAL COMMITTEE OF THE
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
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9	STENOGRAPHIC REPORT OF PROCEEDINGS had at
10	the meeting of the above-entitled matter, held at
11	20 South Clark Street, Suite 300, in the City of
12	Chicago, County of Cook, State of Illinois, on
13	Friday, July 17, 2020, commencing at the hour of
14	8:00 a.m.
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1	APPEARANCES
2	BOARD MEMBERS:
3	DANTHI TODHUNA Duraidant and
4	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	RESHMA SONI, City Comptroller
10	ANNETTE NANCE-HOLT, Active Trustee
11	ATTORNEYS FOR THE BOARD:
12	BURKE, BURNS AND PINELLI, LTD.
13	BY: MS. MARY PATRICIA BURNS
14	ALGO DEGRAM
15	ALSO PRESENT:
16	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
17	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
18	JOHN CONNESS, Fund Accountant MARC TORRES, IT Analyst
19	MARK MYSLINSKI, City Treasurer's Office MICHAEL I. PETERS, M.D., Board Physician
20	
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1	MEMBER MURPHY: Please, call the roll.
2	MR. SWANSON: Trustee Martin.
3	MEMBER MARTIN: Yes.
4	MR. SWANSON: Trustee McPhillips.
5	MEMBER MCPHILLIPS: Yes.
6	MR. SWANSON: Trustee Nance-Holt
7	MEMBER NANCE-HOLT: Present.
8	MR. SWANSON: Trustee Soni.
9	MEMBER SONI: Here.
10	MEMBER MURPHY: I am here.
11	We have a quorum for today's meeting.
12	MEMBER CONYEARS-ERVIN: Do I need to be
13	here?
14	MR. SWANSON: Madam Treasurer, you are
15	welcome to stay but you are not part of the
16	committee.
17	MEMBER CONYEARS-ERVIN: Okay.
18	MEMBER MURPHY: Does counsel want to read
19	the Public Act?
20	MS. BURNS: I am happy to do that, sir.
21	Public Act 101-0640 allows this committee
22	meeting to be conducted by video conference.
23	I note that the Act requires a roll call
24	vote, which is something new, on each matter acted

1 upon since the quorum of the members of the 2 committee are not physically present. 3 Further, consistent with Public Act 101-0640, for the record, the Executive Director 4 5 and the President of the Fund as well as counsel 6 are present at the Fund offices. 7 We are proceeding by video conference because we continue to believe that due to the 8 9 pandemic it is prudent to not be physically present 10 in the same space. 11 We have posted notice of this committee meeting in accordance with the Open Meetings Act 12 and the meeting is being recorded. A transcript of 13 14 the committee proceedings will be prepared and 15 ultimately after approval by the Board will be made 16 available to the public on the Fund's website. 17 So with that, sir, the next issue for you 18 is public comments. 19 MEMBER MURPHY: Any request for public 20 comments today? 21 Hearing none, we will move on. 22 One item of business today for the 23 committee, we received a copy of a proposed policy 24 setting procedures that will be followed for a

1	COVID-19 related Line of Duty Death Benefit. It
2	was drafted to follow Public Act 101-0633.
3	Has everyone had a chance to review the
4	policy? Everyone received it.
5	Assuming you have, do I have a motion to
6	recommend the full board adopt the COVID-19 Line of
7	Duty Death Policy?
8	MEMBER MCPHILLIPS: I will make that
9	motion.
10	MEMBER MURPHY: Is there a second?
11	MEMBER HOLT: Seconded by Trustee Holt.
12	MEMBER MURPHY: Any discussion?
13	MS. BURNS: Just so the committee members
14	know, we are going to apply this policy today later
15	in the meeting with respect to the widow of Mr.
16	Singleton.
17	MEMBER MURPHY: Thank you.
18	MS. BURNS: I would like to say that
19	Trustee Martin was extremely helpful in drafting
20	this policy and Sarah and I greatly appreciate all
21	of his insight.
22	MEMBER MARTIN: Thanks, Mary.
23	MEMBER MURPHY: We have a motion and a
24	second. Please, call the roll call vote.

1	MR. SWANSON: Trustee Martin.
2	MEMBER MARTIN: Yes.
3	MR. SWANSON: Trustee McPhillips.
4	MEMBER MCPHILLIPS: Yes.
5	MR. SWANSON: Trustee Nance-Holt.
6	MEMBER TRUSTEE NANCE-HOLT: Yes.
7	MR. SWANSON: Trustee Soni.
8	MEMBER SONI: Yes.
9	MR. SWANSON: Trustee Murphy.
10	MEMBER MURPHY: And I am a yes.
11	The recommendation relating to the
12	COVID-19 passes and will be acted upon at the board
13	meeting.
14	Is there any other new or old business?
15	Hearing none, is there a motion to
16	adjourn the Legal Committee meeting?
17	MEMBER MARTIN: I will make the motion.
18	MEMBER MURPHY: Is there a second?
19	MEMBER NANCE-HOLT: Second by Trustee
20	Holt.
21	MR. SWANSON: Trustee Martin.
22	MEMBER MARTIN: Yes.
23	MR. SWANSON: Trustee McPhillips.
24	MEMBER MCPHILLIPS: Yes.

1	MR. SWANSON: Trustee Nance-Holt.
2	MEMBER TRUSTEE NANCE-HOLT: Yes.
3	MR. SWANSON: Trustee Soni.
4	MEMBER SONI: Yes.
5	MR. SWANSON: Trustee Murphy.
6	MEMBER MURPHY: Committee adjourned.
7	Thank you.
8	MS. BURNS: Thank you, sir.
9	
10	(WHICH WERE ALL THE PROCEEDINGS
11	IN THE ABOVE-ENTITLED MEETING
12	AT THIS DATE AND TIME.)
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1	STATE OF ILLINOIS)) SS.
2	COUNTY OF DU PAGE)
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6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	<u>Debbis Tyrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1077)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the video conference meeting of the above-entitled
12	matter, held at 20 South Clark Street, Suite 300,
13	in the City of Chicago, County of Cook, State of
14	Illinois, on Friday, August 21,2020, commencing at
15	the hour of 8:30 a.m.
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1	APPEARANCES
2	BOARD MEMBERS:
3	
4	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	ANNA VALENCIA, City Clerk
10	RESHMA SONI, City Comptroller
11	ANNETTE NANCE-HOLT, Active Trustee
12	ATTORNEYS FOR THE BOARD:
13	BURKE, BURNS AND PINELLI, LTD.
14	BY: MS. MARY PATRICIA BURNS MR. VINCENT PINELLI
15	
16	ALSO PRESENT:
17	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
18	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
19	MARC TORRES, IT Analyst MARK MYSLINSKI, City Treasurer's Office
20	DANIEL G. SAMO, M.D., Board Physician
21	BRADY O'CONNELL, Callan CRAIG GOESEL, Alliant
22	Bruno Amici, Alliant
23	
24	

1	CHAIRMAN FORTUNA: I hereby convene this
2	Board of Trustees meeting for August 21, 2020.
3	Please call the roll.
4	MS. BURNS: Trustee Valencia.
5	MEMBER VALENCIA: Present.
6	. MS. BURNS: Trustee Murphy
7	MEMBER MURPHY: Here.
8	MS. BURNS: Trustee Fortuna.
9	CHAIRMAN FORTUNA: Here.
10	MS. BURNS: Treasurer Conyears-Ervin.
11	MEMBER CONYEARS-ERVIN: Here.
12	MS. BURNS: Trustee Holt.
13	MEMBER HOLT: Present.
14	MS. BURNS: Trustee Martin.
15	Trustee McPhillips.
16	MEMBER MCPHILLIPS: Present.
17	MS. BURNS: Trustee Soni.
18	MEMBER SONI: Here.
19	MS. BURNS: You have seven of the eight
20	trustees present, which is a quorum, and you are
21	ready to proceed.
22	CHAIRMAN FORTUNA: Public Act 101-0640
23	allows this meeting to be conducted by video
24	conference. The Act requires a roll call vote on

1 | each matter acted upon.

I am physically present here at the Fund office as is Director Steve Swanson.

We are proceeding by video conference in accordance with the Governor's orders because we continue to believe that due to the pandemic it is prudent to not be physically present in the same space. We have posted notice of this meeting in accordance with the Open Meetings Act and the meeting is being recorded and a transcript of this proceeding will be prepared and ultimately after approval will be made available to the public.

MEMBER MCPHILLIPS: Thank you, Mr.

President. This is Trustee McPhillips. I will be acting as the Secretary until Trustee Martin can get on the call.

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

With that being said, are there any

1	requests for public comment today?
2	Hearing none, we will move on.
3	First we turn to Approval of
4	Administrative Items. Approval of the Minutes. We
5	have the Regular Audio Meeting for July 17, 2020,
6	Regular Audio Meeting Transcript from July 17, 2020
7	and the Legal Committee Meeting Minutes and
8	Transcript from July 17, 2020.
9	I make a motion to approve the minutes
10	and transcripts from the July 17th Board meeting
11	and from the July 17th Legal Committee meeting.
12	MEMBER VALENCIA: Second.
13	CHAIRMAN FORTUNA: There is a motion by
14	Trustee McPhillips. Seconded by Trustee
15	Valencia.
16	CHAIRMAN FORTUNA: Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	Motion carries.
7	MEMBER MCPHILLIPS: Item B, Minimum
8	Formula Annuities. Mr. President, I'd like to
9	approve the Minimum Formula Annuities beginning
10	with Member 14921 and ending with Member 12251.
11	MEMBER NANCE-HOLT: Second.
12	CHAIRMAN FORTUNA: There's a motion by
13	Trustee McPhillips. Seconded by Trustee Holt.
14	Trustee Soni.
15	MEMBER SONI: Yes.
16	CHAIRMAN FORTUNA: Trustee
17	Conyears-Ervin.
18	MEMBER CONYEARS-ERVIN: Yes.
19	CHAIRMAN FORTUNA: Trustee McPhillips.
20	MEMBER McPHILLIPS: Yes.
21	CHAIRMAN FORTUNA: Trustee Holt.
22	MEMBER NANCE-HOLT: Yes.
23	CHAIRMAN FORTUNA: Trustee Murphy.
24	MEMBER MURPHY: Yes.

1	CHAIRMAN FORTUNA: Trustee Valencia.
2	MEMBER VALENCIA: Yes.
3	CHAIRMAN FORTUNA: And I am a yes.
4	MEMBER MCPHILLIPS: Moving on to Item C,
5	Survivor's Annuities/Widow's and Children's
6	Annuities. I make a motion to approve the Widow
7	Annuities starting with Member 06749 through Member
8	10131. Is there a second?
9	MEMBER CONYEARS-ERVIN: Second.
10	CHAIRMAN FORTUNA: Motion by Trustee
11	McPhillips. Seconded by Trustee Conyears Ervin.
12	Trustee Soni.
13	MEMBER SONI: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	Motion carries.
3	MEMBER MCPHILLIPS: Moving to Item D,
J	
4	Refunds. I make a motion to approve the Refunds
5	starting with Member 18959 and continuing through
6	to Member 16365.
7	On the question, I note one of the
8	refunds is for Firefighter Araujo who died as a
9	result of COVID-19.
10	Staff has worked with Mario's mother to
11	accomplish this refund and we will continue to
12	assist the family any way that we can.
13	MEMBER SONI: Second.
14	CHAIRMAN FORTUNA: There is a motion by
15	Trustee McPhillips. Seconded by Trustee Soni.
16	Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	MEMBER MCPHILLIPS: Moving on to Item E,
7	Death Benefits. I move to approve the Death
8	Benefits for Members 06749 through Member 10131.
9	MEMBER MURPHY: Second.
10	CHAIRMAN FORTUNA: A motion by Trustee
11	McPhillips. Seconded by Trustee Murphy.
12	Trustee Soni.
13	MEMBER SONI: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	Motion carries.
3	MEMBER MCPHILLIPS: Mr. President, moving
4	on to Item F, Partial Payments. I make a motion to
5	approve the Partial Payments beginning with Member
6	06749 and continuing on through Member 10131.
7	MEMBER CONYEARS-ERVIN: Second.
8	CHAIRMAN FORTUNA: Motion by Trustee
9	McPhillips. Second by Conyears-Ervin.
10	Trustee Martin.
11	MEMBER MARTIN: Yes.
12	CHAIRMAN FORTUNA: Trustee Soni.
13	MEMBER SONI: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	MEMBER MCPHILLIPS: Mr. President, now
3	that Secretary Martin is back on the call, I will
4	transfer the meeting over to him.
5	CHAIRMAN FORTUNA: Thank you, very much,
6	Trustee McPhillips.
7	MEMBER MCPHILLIPS: You're welcome.
8	MEMBER MARTIN: Thanks, Tim.
9	Benefit Recalculations. Mr. President,
10	under Benefit Recalculations, there are none.
11	Moving on to Item H, Requests for
12	Permission. There is one guardianship matter for
13	Member 09848 John Stender by his daughter. Staff
14	confirms that the doctor's letter and Power of
15	Attorney are on file. I make a motion to approve
16	Guardianship.
17	MEMBER McPHILLIPS: Second.
18	CHAIRMAN FORTUNA: There's a motion by
19	Trustee Martin. Seconded by Trustee McPhillips.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	Motion carries.
13	MEMBER MARTIN: Moving to Item I, I make
14	a motion to approve the Removals starting with
15	David Bassett and ending with Summer Clark.
16	MEMBER NANCE-HOLT: Second.
17	CHAIRMAN FORTUNA: There is a motion by
18	Trustee Martin. Seconded by Trustee Holt.
19	Trustee Martin.
20	MEMBER MARTIN: Yes.
21	CHAIRMAN FORTUNA: Trustee Soni.
22	MEMBER SONI: Yes.
23	CHAIRMAN FORTUNA: Trustee
24	Conyears-Ervin.

1	MEMBER CONYEARS-ERVIN: Yes.
2	CHAIRMAN FORTUNA: Trustee McPhillips.
3	MEMBER McPHILLIPS: Yes.
4	CHAIRMAN FORTUNA: Trustee Holt.
5	MEMBER NANCE-HOLT: Yes.
6	CHAIRMAN FORTUNA: Trustee Murphy.
7	MEMBER MURPHY: Yes.
8	CHAIRMAN FORTUNA: Trustee Valencia.
9	MEMBER VALENCIA: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	Motion carries.
12	MEMBER MARTIN: Mr. President, Item 3,
13	Request for Approval for Payment Pursuant to
14	Administrative and Court Order pertaining to
15	Members 010979, 013734 and 016745. I make a motion
16	to approve.
17	MEMBER VALENCIA: Second.
18	CHAIRMAN FORTUNA: There's a motion to
19	approve by Trustee Martin. Seconded by Trustee
20	Valencia.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MARTIN: Mr. President, under Item
15	4, Consideration for Approval of the Following
16	Matters. We are moving to Hearings.
17	MEMBER MARTIN: Let the record reflect
18	that this is the Duty Disability application for
19	Robert Olmstead, Paramedic in Charge, Ambulance 39.
20	As you know, our attorney Vince Pinelli
21	is going to be conducting this hearing. Without
22	anything further, take it away, Vince.
23	MR. PINELLI: Thank you, Mr. Secretary.
24	Good morning, Mr. Olmstead.

1 As you have been told, I am one of the 2 attorneys for the Pension Fund that will be 3 conducting this hearing for the record. I'd like to advise you of some preliminary matters before we 4 5 begin. Can you hear me, sir? 6 MR. OLMSTEAD: Yes, sir. 7 MR. PINELLI: First of all, there are 8 eight trustees present at this time to hear the 9 evidence on your application, if I heard the roll 10 call correctly. If you don't know you should know 11 that you need the yes vote of at least five of the 12 eight trustees in order to receive this benefit per 13 the Pension Code. Do you understand that? 14 MR. OLMSTEAD: Yes, sir. 15 BY MR. PINELLI: 16 In addition, you, like any member who 17 comes before the Board, have a right to have an 18 attorney represent you, if you think that is appropriate. I don't believe that any attorney 19 20 filed an appearance on your behalf. Is it your intention to proceed without an attorney? 21 22 MR. OLMSTEAD: That is correct. 23 MR. PINELLI: Lastly, it is the

applicant's burden of proof to present sufficient

1	evidence to the Board in for the Board to grant a
2	benefit. Do you understand it is your burden of
3	proof?
4	MR. OLMSTEAD: Yes.
5	MR. PINELLI: By way of procedures, I am
6	going to start by asking you some questions. The
7	board members may or may not have questions of you.
8	Then I will call Doctor Samo, the Fund's
9	Physician/Consultant to testify. If there is
10	anything I don't ask him that you think is
11	important for the Board to know before they vote,
12	please let me know and you will be given that
13	opportunity.
14	MR. OLMSTEAD: Yes, sir.
15	MR. PINELLI: Mr. Olmstead and Doctor
16	Samo, could you please your raise hands?
17	(Witnesses sworn.)
18	ROBERT J. OLMSTEAD
19	a witness herein, having been first duly sworn, was
20	examined and testified as follows:
21	EXAMINATION
22	BY MR. PINELLI:
23	Q Mr. Olmstead, please state your name for
24	the record and spell your last name.

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1
               My name is Robert J. Olmstead,
2
     O-1-m-s-t-e-a-d.
 3
               Mr. Olmstead, what is your rank with the
     Fire Department?
 4
 5
           Α
               I am a Paramedic in Charge.
               What was your last assignment before you
 6
 7
     went on layup most recently?
8
           Α
               Ambulance 39.
               You should have been provided a copy of
 9
     the Board Exhibits previously marked Board Exhibits
10
     1 through 14. Did you receive those exhibits?
11
12
           Α
               Yes.
13
               Did you have a chance to review them?
           Q
14
           Α
               Yes.
15
           Q
               Do you have any objection to their
16
     introduction into the record for the Board to
17
     review in support of your application?
18
           Α
               No.
19
               MR. PINELLI: Thank you, sir.
20
               Mr. Chairman, I move for introduction of
21
     Board's Exhibits 1 through 14, without objection
22
     from the applicant.
23
               CHAIRMAN FORTUNA:
                                   Admitted without
24
     objection.
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1 (Board Exhibits 1 through 14 2 were admitted into evidence.) 3 MR. PINELLI: Thank you. BY MR. PINELLI: 4 5 Q Mr. Olmstead, recognizing the Board has Group Board Exhibit 1, which is your sworn 6 7 statement in support of your application for this disability benefit, I would just ask you to tell us 8 9 what is the specific injury or injuries upon which 10 you are seeking this benefit? 11 On July of 2011, I sustained an injury Α trying to subdue an intoxicated patient that 12 13 resulted in me having a cervical fusion of C-5/C-6. 14 Very well. We will get through to the 15 medical treatment in a moment. Knowing that is the 16 case, and again understanding the Board has had the 17 opportunity to review your statement, could you 18 please just summarize for us where you were and what happened to you on July 11th of 2011, that 19 20 caused you any injury that is the basis of your application? 21 22 We were dispatched to a call for person

down unknown cause on Irving Park Road east of Lake

Shore Drive.

We arrived on the scene. We did not find anything. We had civilians pointing the direction.

When we arrived, we found a car facing eastbound on Irving Park parked with the back rear door opened and legs hanging out.

My partner, my partner Michael Allen, and
I approached the vehicle and noticed there was a
person laying in the back seat. We could smell
alcohol in the car itself.

When we had tried to arise the patient, he was very discombobulated. He was very uncoordinated. He wouldn't speak. He kept reaching for his pockets. We tried to ask him regular questions. Who he was, did he know where he was, stuff like that, to attain his coherency. He would not respond.

As we tried to get him to the ambulance, he started to resist us. We tried to talk him to be nice to him to try to get him to cooperate with everything. Once he gave us the sign of putting his hands up like he was cooperating, I had turned away from the patient. The patient then grabbed me by my right arm and pushed me into the -- we were outside of the ambulance. Pushed me into the side

1 | wall of the ambulance.

I had fallen to the ground and my partner grabbed onto the patient to try to subdue him because at that time the patient was trying to strike both of us.

And then I was finally able to call a 10-1 to get assistance there with the police and that was basically the incident.

Q Now did you experience pain or discomfort in your cervical spine area?

A At that time I had experienced numbness into my arm, my dominant arm, right arm and shoulder. I had difficulty grabbing onto the radio because it was on my right side so I was trying to get it with my left arm and in an attempt while the patient was down on the ground kicking at me while my partner was holding onto him.

Q Had you ever injured that part of your body or upper neck, back and shoulder area prior to this incident?

A To the best of my knowledge, I have never physically injured myself to my head, neck. I had split my head open multiple times as a kid but nothing as significant adult-wise until that

1 incident. I know I was being treated for something 2 prior to that but there was no physical injury that 3 resulted in it at that time. Okay. Now the records indicate that 4 5 ultimately you ended up having a fusion surgery on your cervical area in 2012; is that correct? 6 7 It was October of 2011. I'm sorry. October of 2011. And as a 8 Q 9 result of the surgery, it looks like you did return to work after that; is that correct? 10 11 That's correct. Α In June of 2012, after you rehabilitated 12 13 from the surgery, correct? 14 That is correct. I did my Α 15 rehabilitation. I passed the Functional Capacity 16 exam and I returned to duty. 17 By the way, with the fusion, did they put 18 any metal or screws in? I have a plate that holds together C-5/6, 19

Q Then you were able to continue to work for it looks like several years and then you had a series of other duty related injuries; is that correct?

with screws anchoring into the vertebrae column.

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A Yes, sir.

Q I will go through those in a second.

Let's just stay with your neck and upper back and shoulder area. During the time you returned to work up until you laid up most recently, did you experience any pain or discomfort or limitations in that area after the surgery?

A For the first couple years, no, I did not. I started noticing after probably around four to five years postsurgery -- I started noticing I was getting weakness in my right arm and my right shoulder, my hand. Once in a blue moon, I would get pain that would go from my neck all the way down into my index finger. I always would get neck spasms on the right side of my neck as well as severe cramping and headaches and that continued and gradually got worse as time went on. The more I lifted the more it caused me those symptoms.

Q Can you tell the Board today, as you sit here or as you are on the phone with us I should say, can you describe for us what type of symptoms, if any, are you having with respect to that area?

A I have -- it's difficult for me to sleep on my right side due to the cramping in my neck. I

1 will get severe muscle cramps in my neck that go 2 into my head that cause me to have headaches. When I have been lifting too much, like when I be on 3 shift and as the day progressed, my hand would feel 4 5 -- I would get a radiating pain that would go down into my hands and I would literally keep shaking my 6 7 hand and try to do something to get rid of the pain and my arm would always start -- like as I was 8 9 lifting things, my arm would sometimes shake 10 because I was trying to force myself to lift.

Q Okay. Let's just talk briefly about the other injuries you have had. It looks to me, just if you could verify for me, that in March of 2016 while you were on duty you injured your right knee lifting a patient from a basement; is that correct?

- A Yes. We were on a cardiac arrest.
- Q As a result of that left knee or right knee injury, you had a knee replacement in May of 2016, correct?
 - A That is correct.

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- Q And then you were able to rehabilitate and return to work in August of '16; is that correct?
- 24 A That is correct. I passed another

Functional Capacity test and I was able to return
to work with no restrictions or problems.

Q Okay. And then it looks like in December of '16, you had an injury to your left shoulder while you were assisting to move a patient; is that correct?

A Yes. I was moving a patient from a stretcher to a hospital bed and as I was pulling -- lifting up to push the patient over, I partially dislocated my left shoulder.

Q As a result of that duty injury, did you have a surgery in June of '17?

A Yes.

Q And were you able to rehabilitate and return to work after that?

Was very hesitant on releasing me back to duty because he was afraid that, depending on how I lifted things, my shoulder would dislocate again. I convinced him that I wouldn't have any problems the way I lift, the way we are taught to lift things, and I would get help if need be and he reluctantly released me. I passed another Functional Capacity and I came back to work.

Q Okay. Lastly, the records indicate that
you had an another surgery but this time on your
lower back in January -- or, I'm sorry, February of
this year?

A That is correct.

Q That was a fusion surgery; is that correct?

A Yes. It is a second fusion I have now at L-5/S-1.

Q That is because obviously you had some issues with your lower back, correct?

A I had known throughout the years that I had slight bulging discs in my lower back but they were non-operative as per all the neurosurgeons that I had seen. And at the time I figured it was a bulging disc, I would go get an injection, try to do some physical therapy to make the pain symptoms go away and that is when I found out I needed to have surgery.

Q Then you had that surgery just several months ago so you are still -- are you doing any physical therapy or anything following the surgery?

A Yes, I am in physical therapy three times and week and I do therapy for my neck and my back.

- 1 Okay. Now, finally, sir, just a couple 2 of questions. Since you went on layup most 3 recently, have you engaged in any activity by which you earn income? 4 5 Α No. Have you engaged in any sporting 6 7 activities? 8 Absolutely not. Α 9 Are you taking any medications prescribed Q 10 by a doctor for any --11 Α Yes, I am. 12 -- symptoms? What are you taking? 13 Let me grab my bottles. I don't have 14 them in front of me. Nucynta, which is Tapentadol, 15 that is my pain medication. I take six pills total 16 a day. I take Hydrochlorothiazide for my blood 17 pressure. I take a medication called Zonisamide. 18 I take Methocarbamol, which is a muscle relaxer, two times a day. I take Memantine one time a day. 19 I take Fluoxetine, which is a generic for Prozac, 20 once a day for anger management and Mexiletine once 21
- MR. PINELLI: Thank you, sir. That is all the questions I have at this time.

22

a day.

1	Are there any questions of the applicant
2	from the Board?
3	CHAIRMAN FORTUNA: No questions.
4	MR. PINELLI: Thank you.
5	At this time I would call Doctor Samo to
6	testify.
7	(Witness previously sworn.)
8	DANIEL SAMO, M.D.
9	a witness herein, having been first duly sworn, was
10	examined and testified as follows:
11	EXAMINATION
12	BY MR. PINELLI:
13	Q Sir, please state you name.
14	A Daniel Samo.
15	Q You are a physician; is that correct?
16	A Yes.
17	Q And is a copy of your qualifications as a
18	physician attached to the Board Exhibits?
19	A Yes.
20	Q Do you perform a function as a consultant
21	to this fund?
22	A I'm sorry.
23	Q Do you perform a function as a consultant
24	to this fund?

- 1 Α Yes, I do.
- 2 In that capacity do you review medical Q 3 records, either examine or interview applicants and report to the Board? 4
 - Α Yes, I do.
 - Did you file a written report marked as Board Exhibit Number 2?
- 8 Yes. Α

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- Doctor, with respect to Mr. Olmstead, because of the current conditions, did you conduct 11 a telephone interview with him as opposed to an in-person examination? 12
- 13 I did. Α
- 14 And during that interview did he describe 15 for you his medical history, background and so forth? 16
- 17 Α Yes, he did.
- 18 Was what he told you consistent with the medical records that you had the occasion to review 19 before you interviewed him? 20
 - Α Yes.
- 22 Doctor, I know he has had a number of 23 different injuries. Let's start with the cervical 24 spine and that initial injury in 2011. Can you

describe for us the course of treatment and where he's at right now?

A So he had had a problem with his neck several years before that and he had an annular tear at C-5/6 the place where he eventually had the herniation. First you tear the annulus and then the disc will herniate through that tear. And he was treated for that with injection therapy and eventually was able to improve and return to work. He said that he was laid up for about a year at that time in 2009.

And then in 2011 he had a recurrence, which eventually lead to surgery. And after the surgery he had a total resolution of his symptoms and was able to return to work about six months after his surgery. He was fine.

He told me that after surgery he still had right arm weakness but today he said that only started four or five years after the surgery. So apparently right after the surgery he was really fine.

And then he continued to have some neck symptoms beginning again in 2019 and he began seeing a pain specialist and getting injections and

- also taking the medication, all the medications, that he mentioned.
 - Q Doctor, you reviewed the records with respect to these other duty injuries that he had?
 - A Yes.

Q And he was able to return to work after rehabilitating from surgery for both a knee replacement and shoulder; is that correct?

A Yes, he said that the knee was great. He was very happy and felt perfect. He did not feel that this would interfere. The shoulder he said he was able to perform all his duties. He said his doctor was reluctant to send him back for fear that he might dislocate again but he has not had any symptoms of instability since the surgery and has been at work without any problems regarding the shoulder.

So the shoulder, the knee. There was a problem with the hip which he has been told was not surgical and he said he felt this was not a major issue and would not interfere with him performing his full duties.

And a history of also Post-Traumatic Stress Disorder, depression, anxiety and anger problems and he did not feel that this would interfere with his ability to perform his duties either.

Lastly, his substance abuse disorder, which I believe was while he was laid up because of all the multitude of medications that he's taking.

Q Those are pain medications obviously following all these different injuries?

A So he is on opioids. Nucynta,

Methocarbamol a muscle relaxant and the other

medications all of which are sedating and he cannot

function with those medications on board.

Q Lastly, he's currently post the fusion surgery at L-5/S-1; is that correct?

A Right. The back -- I didn't get a history of any specific injuries. He was having problems he told me for five to seven years. And following his knee surgery, when he was laid up, he had a MRI and saw Doctor Nolden who told him he needed a fusion surgery.

He said the surgery helped. He had some radiation to his thigh and that seems to be better since the surgery but the rest of the back pain really seems to be unchanged.

1 I would take it, he's not at MMI from 2 that surgery yet? 3 Correct. Doctor, given that fact and the condition 4 5 he is in currently, do you believe he would be able to perform his assigned duties with the Fire 6 7 Department as a Paramedic? 8 Α No. 9 MR. PINELLI: Thank you, that is all the questions I have of this witness. 10 11 CHAIRMAN FORTUNA: Trustees, any 12 questions for the doctor? 13 Hearing none, Tony. 14 MR. OLMSTEAD: Mr. President, having had 15 the opportunity to read this file and listen to all 16 of his testimony, I would like to make a motion to 17 grant. 18 MEMBER McPHILLIPS: Second. 19 CHAIRMAN FORTUNA: Motion to grant by 20 Trustee Martin. Seconded by Trustee McPhillips. 21 Trustee Martin. MEMBER MARTIN: Yes. 22 23 CHAIRMAN FORTUNA: Trustee Soni. 24 MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MARTIN: Mr. President, I'd like
15	to make a motion to adopt the Findings of Fact as
16	presented by Fund counsel to the staff.
17	MEMBER McPHILLIPS: Second.
18	CHAIRMAN FORTUNA: Motion by Trustee
19	Martin. Seconded by Trustee McPhillips.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	The motion carries.
13	I need a motion for reexam.
14	MEMBER MARTIN: Mr. President, I make a
15	motion for reexam consistent with the Fund's
16	policy.
17	MEMBER McPHILLIPS: Second.
18	CHAIRMAN FORTUNA: Motion for reexam by
19	Trustee Martin. Seconded by Trustee McPhillips.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	Motion carries.
13	Mr. Olmstead, based on the Findings of
14	Fact made by the Trustees, the Trustees have voted
15	to grant you the benefit that you have requested.
16	You will notified by mail of the Findings
17	of Fact and the Board's decision.
18	Good luck to you.
19	MR. OLMSTEAD: Thank you, very much all.
20	I appreciate it and I wish you guys well and thank
21	you, very much.
22	MEMBER MARTIN: Mr. President, I'd like
23	to move on to Item 4B, Handicapped Child's Annuity.
24	It is Eliza Kowalczyk by Halina Krupa, Trustee for

1 | the Benefit of the child of John Henry Kowalczyk.

Counsel, do you want to speak to this?

MR. PINELLI: We have documentation to

4 | present to the Board. There is a packet, including

5 | Board Exhibits 1 through 10, that have been

6 provided in support of this application by Ms.

7 Krupa, who is the legally appointed guardian for

8 Ms. Kowalczyk.

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The documents are supportive of this application and includes an order from the Kane County Circuit Court, which created a Special Needs trust and appointed Ms. Krupa as a guardian for that trust.

There is also an affidavit from the doctor indicating that Ms. Kowalczyk is indeed handicapped and is limited in her abilities and life skills.

With respect to the income that she derives, it is essentially Social Security
Disability benefits.

So that with respect to the documents presented I believe that under the Pension Code they would be sufficient to support the award of a Handicapped Child's Annuity Benefit to her, to Ms.

1	Krupa as the guardian for her, under Section 6-148
2	from my review of the documents.
3	MS. BURNS: The only thing might be a
4	motion to accept the exhibits into the record.
5	MR. PINELLI: Thank you. Yes, I would
6	ask that the Board make a motion to accept these
7	documents. They are certified records. We have
8	reviewed them and I think they are appropriate for
9	admission into the record.
10	CHAIRMAN FORTUNA: Is there a motion?
11	MEMBER MARTIN: Mr. President, I'd like
12	to make a motion to approve the Handicapped Child's
13	Annuity and a motion to accept the exhibits
14	presented to the Board.
15	MEMBER McPHILLIPS: Second.
16	CHAIRMAN FORTUNA: There is a motion by
17	Trustee Martin seconded by Trustee McPhillips.
18	Trustee Martin.
19	MEMBER MARTIN: Yes.
20	CHAIRMAN FORTUNA: Trustee Soni.
21	MEMBER SONI: Yes.
22	CHAIRMAN FORTUNA: Trustee
23	Conyears-Ervin.
24	MEMBER CONYEARS-ERVIN: Yes.

1	CHAIRMAN FORTUNA: Trustee McPhillips.
2	MEMBER McPHILLIPS: Yes.
3	CHAIRMAN FORTUNA: Trustee Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee Murphy.
6	MEMBER MURPHY: Yes.
7	CHAIRMAN FORTUNA: Trustee Valencia.
8	MEMBER VALENCIA: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	I would like to move on to Item 9, the
12	legal update, please.
13	TRUSTEE MARTIN: Mr. President, moving on
14	to Item 9. Mary Pat, any updates?
15	MS. BURNS: We were going to out of the
16	regular order of business to allow Vince to address
17	the Siwinski matter and then Vince can leave the
18	call.
19	Vince, do you want to walk the board
20	through what the court did and your recommendation
21	with respect to the order entered?
22	MR. PINELLI: Yes, thank you. Thank you
23	for taking this out of the order.
24	As you have before you, the remaining

1 issue on the Siwinski matter was the Petition for 2 Attorney's Fees and Costs.

For the benefit of those trustees who were not on the Board, this was a matter that began in 2015 when Ms. Siwinski applied for Duty Disability benefits based upon Post-Traumatic Stress Disorder.

This was an extensive litigation. The Board denied her the benefit. It went to the Circuit Court. The Circuit Court remanded it for more proceedings to the Board. It then went back to the Circuit Court where the Board was affirmed by the Circuit Court. Ms. Siwinski appealed it. It went to the Appellate Court. The Appellate Court reversed the Board and granted her the benefit and then we pursued a Petition for Leave to Appeal to the Supreme Court, which was not taken. The Supreme Court did not take the case so that ended the litigation, with respect to the underlying issue of whether she was entitled to these benefits.

As a result of that, the Board then approved and paid her the past benefits that she was owed and she is, of course, receiving Duty

1 Disability Benefits since that time.

The remaining issue was her petition for attorney's fees, which under Section 6-222, any applicant who prevails in the Circuit Court in reversing the Board on either a Duty or an Occupational Disease Disability benefit can petition for attorney's fees.

That is a provision that didn't formally exit in the Pension Code. It was added a number of years ago to Article 6.

I think, and Mary Pat can certainly

correct me if I am wrong, that it is the only

provision in the Pension Code that I am aware of

that does allow for a fee shifting provision for a

prevailing applicant to receive attorney's fees in

the event they prevail. Is that right, Mary Pat?

MS. BURNS: Yes, you are correct. It is

a Local 2 gift.

MR. PINELLI: I raise that only because it effects what happened here. What happened was that Mr. Marconi, who is a very experienced practitioner as you know, he has been before this Board many times, and obviously was the attorney for Ms. Siwinski.

His Petition for Attorney's Fees was very detailed. He was able to secure the affidavits of three other practitioners to support an award of attorney fees that he sought of approximately \$105,000 over the course of this litigation.

The substantial issue for the court was not really the amount of time he put in, there were some minor issues we challenged and the court did ultimately grant us a reduction of about 10 hours that he spent on his attorney's fee petition but that was it. The rest of his time the court approved as reasonable.

The issue was that Ms. Siwinski had retained him at the beginning of the case under terms of \$300 a hour rate, that was the rate he was going to charge her.

The way the statute is written, which again was done without, if I remember correctly and again Mary Pat can remind me, any input from us as to how these fee shifting statutes work and how it's important; the language of it.

Certainly, the intent that a Member not lose, or as a result of having to go to court, they would be reimbursed for whatever reasonable

expenses they got, that's fine.

The problem is they didn't insert any language that would have specifically said "fees incurred", the word "incurred", by the applicant.

What happened here is even though we argued that the fees incurred by her was a \$300 a hour rate, which is pretty consistent with the rates that we charge the Fund and that in fact we gave the court as evidence of market value for this type of work. The court in its discretion, which it has, rejected that and accepted Mr. Marconi's fee petition at \$470 a hour. So as a result that is why the amount ended up at the level that it did because of the higher hourly rate.

Now judges have a lot of discretion and it is our opinion that it would be very difficult to reverse this because you have to show an abuse of that discretion by the court and Mr. Marconi's fee petition was very detailed. It was very thorough, as the court even commented, and I don't think you would prevail on the rate issue.

Especially because, as the court pointed out, our statute does not include the word "incurred". It just says "reasonable attorney's fees". That gives

the court the discretion for any attorney to come in.

You could have a Clint Krislov come in and ask for, as we have seen with other funds and other cases, \$900 a hour for litigation. He says he's been approved at that rate. I am not saying a court would grant that. I am just saying that is what we are exposed to because of the way this provision is written it is kind of open-ended.

is that if there were an opportunity to tweak that statute and make it a little less open-ended, you could still achieve the goal that Local 2 was perhaps seeking, which was not penalizing the Member for having to go to court and let them be made whole for that, but yet not open the door to ridiculous highly fee awards, that we would be opposed to.

Having said all that, again in summary, our recommendation would be it is not worth your efforts to continue to litigate this case on this sole issue. We believe the court would likely be affirmed and it is kind of bite the bullet and finish this case and conclude it.

1 I recommend that a motion be made to 2 approve the payment pursuant to court order. 3 If there's any questions on that, I am happy to entertain them. 4 5 CHAIRMAN FORTUNA: Vince, I do have a question. The judge that made this ruling do you 6 7 have his name? MR. PINELLI: Yes. It is actually Judge 8 9 Allison Conlon. 10 I would only point out that Judge Conlon 11 didn't even hear the underlying case. It was a different judge who retired in the interim while 12 13 the case was up on appeal. 14 So this judge, which I think is a bit of 15 a detriment for us, didn't have the benefit of the 16 underlying litigation, which again that judge 17 affirmed us at one time; the underlying court. 18 So that is what it is. A new judge came in and basically just had the fee petition and the 19 decision, of course, of the court to review. 20 21 CHAIRMAN FORTUNA: Thank you. 22 MEMBER MCPHILLIPS: Vince, I'm sorry if I 23 am asking you to repeat yourself. I did hear you 24 say that the attorney's fees are 470 a hour and we

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1
     proposed I think 300 to 350 as reasonable.
2
     was the overall fee? Not the rate, but the fee.
 3
               MR. PINELLI: That he was awarded or that
 4
     he sought?
 5
               MEMBER MCPHILLIPS: Yes.
               MR. PINELLI: He was awarded $98,467.50
 6
 7
     in attorney fees and then $635.30 in costs.
     are hard charges for pursuing the case.
8
 9
               MEMBER MCPHILLIPS: Wasn't the award in
10
     the amount he sought one in the same?
11
               MR. PINELLI: No. Originally his total
12
     award sought was $104,547.50.
13
               MEMBER MCPHILLIPS: Thank you.
14
     appreciate that.
15
               MR. PINELLI: We objected to a number of
16
     entries for different reasons, I don't need to take
17
     up your time with, but at the end of the day she
18
     basically agreed that he shouldn't have recovered
     -- I think he asked for like 25 hours for the fee
19
     petition and we said, no, that is ridiculous and
20
21
     the court kind of agreed with us and shaved it down
     to 10 hours or so.
22
23
               MEMBER MCPHILLIPS: Thank you, very much,
24
     Vince.
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1 TRUSTEE MARTIN: I'd like to approve the 2 fee petition. 3 MEMBER McPHILLIPS: I will second it. CHAIRMAN FORTUNA: There is a motion by 4 Trustee Martin and seconded by Trustee McPhillips. 5 MR. PINELLI: Just so the record is 6 7 clear, you would be approving the court's order 8 granting the fee petition in the amount as 9 contained in the court's order. You are not 10 approving the fee petition itself. I just want to 11 be clear on that. 12 TRUSTEE MARTIN: Correct. So let the 13 record reflect that this a fee petition based on a 14 court order. We are approving the court order for 15 the fee petition. 16 MR. PINELLI: Correct. 17 CHAIRMAN FORTUNA: Motion by Trustee 18 Martin seconded by Trustee McPhillips. 19 Trustee Martin. MEMBER MARTIN: Yes. 20 21 CHAIRMAN FORTUNA: Trustee Soni. 22 Trustee Conyears-Ervin. 23 MEMBER CONYEARS-ERVIN: I don't see much 24 of a choice here so I guess yes. Yes. We don't

1	have a chance.
2	CHAIRMAN FORTUNA: No, we don't.
3	Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Unfortunately, yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Same as Treasurer
11	Conyears-Ervin, yes.
12	CHAIRMAN FORTUNA: And I am,
13	unfortunately, a yes.
14	Motion carries.
15	TRUSTEE MARTIN: Can we put that on the
16	Legislative agenda?
17	CHAIRMAN FORTUNA: Indeed we shall.
18	MEMBER MARTIN: Do we move back to the
19	regular order of business?
20	CHAIRMAN FORTUNA: Yes, that would be
21	great. Thank you.
22	MEMBER MARTIN: Item 5, Approval of Board
23	Physician Reviews and Disability Recipients. I
24	move to approve the Board Physician's

1	recommendations for these disability reviews.
2	MEMBER SONI: Second.
3	CHAIRMAN FORTUNA: Motion by Trustee
4	Martin. Seconded by Trustee Soni.
5	Trustee Martin.
6	MEMBER MARTIN: Yes.
7	CHAIRMAN FORTUNA: Trustee Soni.
8	MEMBER SONI: Yes.
9	CHAIRMAN FORTUNA: Trustee
10	Conyears-Ervin.
11	MEMBER CONYEARS-ERVIN: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER McPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: Trustee Holt.
15	MEMBER NANCE-HOLT: Yes.
16	CHAIRMAN FORTUNA: Trustee Murphy.
17	MEMBER MURPHY: Yes.
18	CHAIRMAN FORTUNA: Trustee Valencia.
19	MEMBER VALENCIA: Yes.
20	CHAIRMAN FORTUNA: And I am a yes.
21	Motion carries.
22	MEMBER MARTIN: Item 6, we have
23	Investments. We can turn it over to Lorna to walk
24	us through the Investment Agenda.

MS. SCOTT: Item 1 is the Investment
Report.

Just a quick update on where we stand

Just a quick update on where we stand with our new investments. We completed legal contracting with Brown Capital and actually funded the account the end of July as well so that account is up and running.

Highclere contracts are still pending on that one and we are shooting for the end of September.

Moving onto the next slide, this first slide shows the one month performance for July for various asset classes. Another very strong month for investors despite the increase in coronavirus cases drastically.

There are some themes we are seeing on this chart. Emerging market equities were the top performer. They were up 8.9 for the month. U.S. growth stocks had another strong month up 7.4 percent outperforming value stocks at 3.8 and large cap up 5.9 outperformed small cap at 2.8.

The next slide looks at the year-to-date performance period. Year-to-date most asset classes are still negative for the year. U.S.

growth stocks are up 17.1 percent which are clearly
the winner. We do have investments in growth but
we have more tilts, more investments, in value
stocks, which are still down 3.5 percent for the
month and small cap which is down 10.6 for the
year-to-date.

So these tilts will hurt us when comparing against the policy benchmark, which is in that first column, where you can see the U.S. equity policy benchmark is up 2 percent year-to-date.

We are already starting off in a little bit of a hole and then our style tilts are underperforming year-to-date.

The next slide shows our Fund return versus the policy target for the month -- or for the time period. For the month the Fund is up 4.2 percent so it was a good month for us but year-to-date the Fund has still not recovered all the losses.

The Fund is down 2.5 percent behind the policy target which is down 0.3 percent. So we are underperforming by 2.2 percent year-to-date.

Let's look closer at that Fund

performance versus the policy target and that is on the next slide. This is where we try to explain how and why we are underperforming.

There are two ways that we will perform differently from the policy. One way is asset allocation having slightly different weights than the policy will cause different performance and then using active management. Even with an active management having style tilts, like we have the style tilts in value in small cap, that will cause different performance in the policy.

Looking at this chart, year-to-date for July, we are underperforming by 2.2 percent. Having different weights than the benchmark has passed 0.6 percent and that is primarily holding cash versus the policy target has been a detractor and active management style tilt the cost is 1.6 percent.

The next slide breaks down that underperformance further. Again, year-to-date the Fund is down 2.5 percent. You can see that in column three. Versus the policy target which is in column 4.

Comparing those columns across the asset

classes, we see underperformance in U.S. equities and international equities, fixed income, liquid diversified.

Specifically, within U.S. equities, the biggest detractor are the tilts to value. Actually positive active management; i.e., a manager outperforming that value target, like Neuberger Berman did, can actually offset some of that detraction.

within international equities, also our value managers Brandes and LSV who underperformed and that caused that underperformance. And within fixed income, it is underperformance by Loomis and Western, whose investments in higher yielding but riskier segments of the market have caused underperformance. Both of those portfolios have rebounded sharply in the last couple of months.

Within liquid diversifying, it is Black Rock's stock portfolio that is causing the underperformance there.

The next couple of slides are additional data that I will leave for your review. We will move on to the next report which is the MWDBE report.

This is a check-in on our MWDBE

utilization year-to-date through June 30th. This

first page is our equity commission. We have a

goal of 22 percent. Equity managers generated

\$193,000 in commissions year-to-date. 28 percent

of that, \$55,000, went to MWDBE brokers so in total

we are meeting that goal of 22 percent.

Looking at this list, there are some laggers. I see Mellon and I see Wells Fargo. I reached out to both firms. Wells Fargo does expect to meet the target of 22 percent by year end but Mellon does not.

Mellon trades in large blocks across all of their clients. They won't take our account out of the block to trade with a MWDBE firm.

There are other firms who will take all of the MWDBE mandates and trade with a minority broker but Mellon doesn't have that many other MWDBE mandates.

So I asked them if they can't take our account out and trade it then why not trade the whole block with a MWDBE firm. They actually are making efforts to do that. I actually see purchases in our account going to MWDBE firms and

that tells me that they are doing the purchase of
the entire block with a MWDBE firm, which is a
sizable win. At this point in time I don't have
any way to measure that. I am not very clear on
how much commission these minority brokers are
making.

So I believe there is progress. I need to figure out a better way to better measure that and that is something else I continue to monitor.

The next page is fixed income. So we have our goal of 12 percent of par traded.

Year-to-date through June 30th 14.6 percent has been traded with MWDBE firms so we are meeting this goal.

Onto the next item, which is the procurement policy. This is primarily a housekeeping item. This document was adopted in 2009 and actually having now completed several RFP's following this policy I thought it was time for a little bit of an update.

Let's take a few minutes to scroll through the document and I will highlight some of the changes.

On Page 1, I added in language that

permits follow-on funds, which allows follow-on funds without the issuance of a RFP that is consistent with the Code.

Scrolling on down to Page 2, we can see that I removed the advertising requirement in a state newspaper but I added in advertising in a nationally circulated investment publication like P&I and we did put our advertisement in P&I.

Scrolling on down, you will see that I consistently removed the SIA, that is Search for Investment Advisor, and replaced it with RFP which is more standard.

Scrolling on down, again a lot of cosmetic, SIA to RFP.

Scrolling on down, quiet period. On the advice of counsel, we updated the definition of the quiet period to define the quiet period from the issuance through successful contracting.

And scrolling on down, SIA to RFP

Scrolling on down one more page, this

last page, the policy requires disclosure on the

website of successfully completed RFPs and

contracts so this is the form of that disclosure

that I just wanted the Board to see.

1	I am looking for a motion to approve the
2	revised Procurement Policy for selection and
3	appointment of consultant investment advisors.
4	MEMBER MARTIN: I'd like to make a motion
5	to approve the changes to the Procurement Policy.
6	MEMBER MCPHILLIPS: Second.
7	CHAIRMAN FORTUNA: Motion by Trustee
8	Martin. Seconded by Trustee McPhillips.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	Trustee McPhillips.
16	MEMBER McPHILLIPS: Yes.
17	CHAIRMAN FORTUNA: Trustee Holt.
18	MEMBER NANCE-HOLT: Yes.
19	CHAIRMAN FORTUNA: Trustee Murphy.
20	MEMBER MURPHY: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	Motion carries.
23	MEMBER CONYEARS-ERVIN: I am yes.
24	I did have two questions. Sorry, there

is so much going on. So, yes, on the previous motion.

Lorna, on the MWDBE goals, I had a question. I noticed that from 2019 to today we're at about half for both of those percentages. I think like the 22 percent goal and 12 percent goal. I think for the 22 percent we were at in 2019 36 -- over 36 percent. At 2020 up to June 20th, which is half the year, we were at a little over 28.

explained it and I apologize, but what is the reason that we are seeing for that? Do we think we will be able to get to the 2019 levels? That is for both the 22 percent as well as the 12 percent. I don't really know what is the difference. One is 22 and one is 12 and both says asset managers. I think this is equity and the other is fixed income.

MS. SCOTT: Correct. Our goal is 22 so we are on track to easily meet the 22. As of June, we accomplished 28.3 percent. I don't know if we are going to get up to the 36.3 percent that we achieved in 2019, that really depends upon the trading environments.

MEMBER CONYEARS-ERVIN: Is that a Callan

question?

MS. SCOTT: Brady is on, too. Maybe,

Brady, if you have any comments on the level of

trading.

But we have it at 22 percent, by checking it at year-to-date, we are at 28. We are on target to meet 22. I can't say we're going all the way to 36, though.

MEMBER CONYEARS-ERVIN: Certainly, I appreciate that we are well over target. What I am concerned about is decreasing from previous years, that is why I am asking, and what we are seeing for the reason for that. I don't want to just look at a goal and say that is all we want. I mean, if we can surpass the goal, I mean, obviously, we would want to do that. Even at 28 we do. I am wondering what is the difference?

MS. SCOTT: The other thing that happened in 2018 we eliminated step-outs. That is a little bit of a problem I am having with Mellon. Step-outs were that concept of Mellon could trade with JP Morgan and then JP Morgan will give the commissions to a minority broker. We eliminated their ability to do that, that impacted a couple of

the managers in their ability to get commissions to
minority brokers. We are probably going to see a
little bit of a decrease as managers try to work
through that.

As I was saying with Mellon, they are trying to get more business to the minority brokers direct as opposed to just using step-outs is what they have done in the past.

We are going to see a little bit of transition there. We will probably see a little bit of decrease in commissions there until they can work that up.

MEMBER CONYEARS-ERVIN: Going on to fixed income -- that is fixed income. That is certainly an area where we should have a great opportunity at being able to diversify, if we can go down to the next screen.

So which the goal is 12 percent and I don't know why the goal is 12 percent for fixed income, that certainly is a great opportunity area. But in 2019, 34 percent, 2018 28 percent and now in 2020 we're not even at 15 percent.

MS. SCOTT: We're still at June 30th.

MEMBER CONYEARS-ERVIN: Certainly

```
1
     correct. I am just doing the check, a temperature
2
     check, right.
 3
               MS. SCOTT: Western, you can see their
     numbers have come way down from year to year.
 4
 5
     belief is Western will definitely pick it up.
     Garcia Hamilton, Ernest, those types of portfolios
 6
 7
     trade in very liquid treasury markets where it is
     easy -- not easy but the minority brokerage support
8
 9
     in those areas is very strong.
               Western and Loomis trade in other areas
10
11
     of that fixed income market where minority brokers
12
     aren't as strong. I really have to push hard for
13
     them to work harder at working with minority
14
     brokers in those areas.
15
               I expect Western, just based on their
16
     history, will actually get higher numbers towards
17
     the end of year. They haven't given me any
18
     indication that they won't.
               It is definitely something to monitor but
19
     those are the two I continue to work with to try to
20
21
     get their numbers up.
22
               MEMBER CONYEARS-ERVIN: Okay.
23
               MS. SCOTT: We are on C, the Security
24
     Lending Guidelines.
```

This one I want to show you where this is coming from because this first page you're looking at is the quarterly review of the security lending that we do.

On June 30th, we had 105 million dollars out on loan. Northern chooses the borrowers and chooses how much to lend each borrower.

This report shows they had 30 million going to Bank of America, about 28.5 percent of the amount on loan, and they had 34 million going to JP Morgan.

Right now there is no limit on how much Northern can put with any one borrower. I have actually watched this number grow over time. I watched it be 20 percent to 25 percent to 28 percent and now the 34 percent.

Again, Northern does not have any kind of cap on how much they can put with any one borrower. In order to manage that risk of that concentration with any one borrower, I am proposing adding a guideline that would limit that borrower concentration to 25 percent.

This is something that I have discussed with Brady. And I don't know, Brady, if you want

1 to comment on this as well.

MR. O'CONNELL: Just quickly, this is a very straightforward risk control mechanism. And I think the economic impact of the Covid crisis, there are a lot of reminders of the global financial crisis. And I think the global financial crisis was a lot worse for banks and financial institutions and it was a period of time when it made sense to have tighter controls on who was holding onto your money.

And as Lorna pointed out, the amount that Northern has lent to some of these institutions has grown and it seems like a very prudent and reasonable step to put a cap on that so that our exposure is limited in those worse case scenarios.

MEMBER MCPHILLIPS: Is this kind of a trend through this sector or are we kind of behind the curve on this?

MR. O'CONNELL: The question is is it a trend or are we behind the curve? I don't know that it is a trend because we haven't seen borrowers default. So it is not like we are doing this in reaction to losses either for the Fund or for the industry.

I think it is really more of a housekeeping item and Lorna I think has been monitoring this very closely and it was really her initiative to identify this as maybe an issue.

At 30, 35 percent, it is not a huge amount but at what level would each of these have 40 or 45 percent of the funds out on loan? At some point it would become a problem.

I support the recommendation to place a reasonable cap on this. Northern I think is responsible for deciding if these borrowers are credit worthy and will repay, but it still makes sense for us as prudent fiduciaries to place a cap and 25 percent I think seems reasonable.

MEMBER MCPHILLIPS: In your conversations with Northern Trust was there any pushback?

MS. SCOTT: No. They were very quick to say it is very common to put on a 25 percent cap and it is not going to bother us any, other clients do this. I just went with that flow.

MEMBER MCPHILLIPS: Can you remind myself and maybe the other trustees how those fees are split between ourselves and Northern Trust?

24 MS. SCOTT: It is a 75/25 split from the

1	income.
2	MEMBER MCPHILLIPS: Thank you, very much
3	for keeping on top of this.
4	MS. SCOTT: I am looking, barring any
5	other discussion, for a motion to approve the
6	updated Security Lending Guidelines as recommended
7	by the CIO and Callan.
8	CHAIRMAN FORTUNA: Is there a motion?
9	MEMBER MARTIN: I'd like to make a motion
10	is approve the security lending changes proposed by
11	staff.
12	MEMBER MCPHILLIPS: I will second that
13	motion.
14	CHAIRMAN FORTUNA: There is a motion by
15	Trustee Martin seconded by Trustee McPhillips.
16	Trustee Martin.
17	MEMBER MARTIN: Yes.
18	CHAIRMAN FORTUNA: Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee
21	Conyears-Ervin.
22	MEMBER CONYEARS-ERVIN: Yes.
23	CHAIRMAN FORTUNA: Trustee McPhillips.
24	MEMBER McPHILLIPS: Yes.

1	
1	CHAIRMAN FORTUNA: Trustee Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee Murphy.
4	MEMBER MURPHY: Yes.
5	CHAIRMAN FORTUNA: Trustee Valencia had
6	to drop off.
7	I am a yes.
8	Motion carries.
9	MEMBER CONYEARS-ERVIN: Can I ask a
10	question real quick? Is there anything else we
11	need to vote on?
12	MEMBER MARTIN: The drawdown.
13	MEMBER CONYEARS-ERVIN: I will try to
14	hold on.
15	MS. SCOTT: We're not raising any cash.
16	MS. BURNS: The other issue for the
17	Treasurer would be the fiduciary liability
18	insurance.
19	I believe you have gotten comfort on that
20	issue from your conversations with the Executive
21	Director.
22	MEMBER CONYEARS-ERVIN: Alright. Great.
23	MS. SCOTT: Let's turn to Item D, Cash
24	Needs. I will turn it over to Jackie

MS. VLAHOS: For the month of August a lot has changed since we last talked. I know in July when we had talked previously, we were proposing to collect I believe it was approximately 42 million. Before the Covid, we would collect approximately 42 million in July, based on past practices. However, from the Covid, when we had our July meeting, we had collected only 2.6 million. Obviously, since that meeting, things have kind of returned to normal business and we have collected approximately an additional 76 million dollars.

So if you go to the spreadsheet, you will see that as of August 17th, after our salary contributions, you will see that we have approximately 76.7 million dollars.

We are going to have after our benefit payments as well as our Death Benefits, our refunds and our office payables -- coming up to an approximately 31.8 million dollars in bills, we are going to have a surplus at the end of August of 44.9 million dollars.

Next page, please. So since basically from the last time we talked, I had modified things

so I didn't know how things were going to work with the due date changed from the normal expected

August 1st until the due date or the extension I should say of October 1st.

We had modified last month kind of making assumptions of when money would actually be coming in because at the time, like I said, if we had only 2.6 million dollars versus the originally proposed 46 million.

However, since we have collected a lot of additional monies of 76 million dollars and it has kind of returned to business as usual, I have updated the spreadsheet.

As you can see, for this month we won't need a drawdown and we are going to have the surplus of 44.8 million dollars as well as coming to the next month of September this extra money is going to carry us through November where we are going to need a drawdown of approximately 6.9 million dollars.

We have 13 percent of our tax levy that is still left to be collected at this time so we are in good shape.

MEMBER MARTIN: Very good.

MEMBER CONYEARS-ERVIN: I have a question for you and Lorna. I think I heard with the Police -- I have my meeting coming up soon with that. think I heard they are expecting this year retirement is to I believe double or almost double. Obviously, Fire is different from Police but I was wondering are we expecting any type of a surge and if that is the case how would that affect our numbers? CHAIRMAN FORTUNA: I can speak to that. We are normally always on about the same plateau as far as our retirements at the end in November is

We are normally always on about the same plateau as far as our retirements at the end in November is normally when they go. But we don't have a big influx right now of I would say a candidate class that is now matured enough to retire so we are fine, that is the short answer. Everything will probably be just the same as last year.

MEMBER CONYEARS-ERVIN: Okay. That is something I was thinking about. Thanks.

MS. SCOTT: Marc, if you will pull up the rebalancing template. With the rebalancing template, we don't have to raise cash but I thought I would use this opportunity to check-in on the asset allocation.

Looking at that last column, the variance, this column shows the difference between where we were actually versus our target. You can see we have too much U.S. equity which is shown in green, not enough private equity which is shown in res.

Other than that, we are pretty much on target. The idea will be we will be able to see some of that equity and fund the private equity as that is called. Again, the takeaway is we are pretty close to target on our asset allocation.

With that, I will turn this over to Brady to talk about the Watch List.

MR. O'CONNELL: There's a Watch List memo that is fairly brief and maybe I will just summarize it and then ask the trustees if there are any questions. But Callan is recommending that that the Board consider adding three different managers to the Watch List. Keeley Teton Advisors, Globeflex Capital and Credit Suisse.

For all three of those firms, Callan is tracking personnel changes and/or performance struggles and that is detailed in the memo. We intend to closely monitor all three of those firms

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1
     and we will also reevaluate the strategy of the
2
     asset classes to reconsider the roles that all
 3
     three firms play.
               So Kelley Teton is a SMID cap value
 4
 5
     equity manager, Globeflex remains a U.S. mid-cap
     growth and then Credit Suisse is a commodity
 6
 7
     manager.
8
               So for Keeley Teton and Credit Suisse, we
9
     have been notified of personnel changes. Globeflex
10
     it's more an issue of performance.
11
               I will pause to see if there are any
12
     questions, but our recommendation is to add these
13
     three firms to the Fund's Watch List.
14
               CHAIRMAN FORTUNA: Trustees, any
15
     questions? I would need a motion on this.
16
               MEMBER MARTIN: I make a motion to place
17
     Keeley Teton, Globeflex and Credit Suisse on watch.
18
               MEMBER MCPHILLIPS: I will second that.
               CHAIRMAN FORTUNA: There is a motion by
19
20
     Trustee Martin seconded by Trustee McPhillips.
21
               Trustee Martin.
22
               MEMBER MARTIN: Yes.
23
               CHAIRMAN FORTUNA: Trustee Soni.
24
               MEMBER SONI: Yes.
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1 CHAIRMAN FORTUNA: Trustee 2 Conyears-Ervin. 3 CHAIRMAN FORTUNA: Trustee McPhillips. MEMBER McPHILLIPS: Yes. 4 CHAIRMAN FORTUNA: Trustee Holt. 5 MEMBER NANCE-HOLT: Yes. 6 7 CHAIRMAN FORTUNA: Trustee Murphy. 8 MEMBER MURPHY: Yes. 9 CHAIRMAN FORTUNA: Trustee Valencia is no 10 longer on the call. 11 I am a yes. 12 Motion carries. 13 MR. O'CONNELL: I will put you on maybe a 14 few high levels in the Callan Executive Summary. 15 Lorna did a very good job in providing an 16 update in the good news that we have seen in the 17 rebound subsequent to the end of the first quarter. 18 She also talked about asset allocation. 19 So I think one of the big themes for the second quarter report, if we go to Page Number 5, 20 21 the Fund has a lot in equities. So in the second 22 quarter, we saw significant rebound as U.S. 23 equities rebounded. 24 Unfortunately, what we have seen is value

continued to lag growth in U.S. equities so value is -- I wish I chose better colors here -- the blue bar at 14.3 in the second quarter and growth was up 27.8 percent. And for that past year a difference of over 30 percentage points. Really an unprecedented divergence between growth and value and we just don't think that that is sustainable. We're recommending our clients maintain exposure to both. Often times that requires rebalancing and selling out of the growth managers that have done well and buying into value managers.

If we turn to the next slide, slide

Number 6, I just wanted to reiterate a point that

Lorna made.

The pie charts here illustrate the actual allocation and the pie chart on the right is the policy targets.

So when we review the Investment Policy
Statement, when we do an Asset Liability Study,
you, the Board, accept these targets and tell Lorna
and I at Callan to implement the investment
strategy with these targets in mind and these
guidelines.

At the bottom of the page, you can see

that we're very close to these targets. The market
moves on a daily basis so we will never be totally
on top of target.

The one big difference Lorna spoke to already is private equity. So we did a search there not too long ago and our goal is to build exposure to private equity over the coming years to maintain vintage year diversification.

As we heard from your Chief Investment

Officer, that will be funded from domestic

equities. We are underweight in private equity but

we are overweight in asset classes that are very

similar to that.

Slide Number 7, this top exhibit shows the Fund return during the quarter and various longer periods of time and then the rank within a universe of similar public funds.

So the Fund earned 13.71 percent during the second quarter and that exceeded the policy target of 12.4. It also put us in the top quartile of peers. That blue dot in the quarterly column ranked in the 18th percentile.

If you look at the last year column, one column to the right, we still have some ground to

1 makeup.

The first quarter is very difficult from an absolute relative return basis. We have recovered some of that but we have a ways to go.

Lorna touched on attribution at the bottom of this page. I think what I will do is ask you to turn to Slide Number 8 because I think this is an interesting illustration of the Fund's performance pattern.

So the middle of the page there, Callan versus the Public Fund Sponsor. We show the Fund's rank, the return and the benchmark rank during calendar periods and year-to-date.

If you look at the bar charts in the middle of the page, what you will see in 2019 there is a strong absolute return and a strong rank towards the top of peers. The same happened in 2017. The 8th percentile rank and an absolute return of 18.3.

In 2018, the overall return was negative and the Fund struggled in that environment.

The pattern is that when capital markets perform well the Fund tends to outperform. And in the first quarter of 2020, we saw a pretty

significant drop. The Fund struggled from an absolute basis and on a relevant basis but in the second quarter we have seen a significant rebound both in absolute and relative terms.

So the S&P 500, a broad measure of the U.S. stockmarket, usually has a positive return seven out of ten years. So the vast majority of years, annual years, we would expect the Fund to achieve a positive return.

So what we have seen so far in the year-to-date period is consistent with the Fund's performance over the past several years and I think we will look to see active managers continue to rebound so that is one of the things we are watching to see if we can further close the gap.

Then this issue of value managers. Lorna spoke to value being out of favor. We have value exposure within U.S. equities but we also have Brandes and LSV and international and emerging markets and those managers have struggled so we will be keeping an eye on that.

I think this chart illustrates how the Fund has performed over time and depending on how the third and the fourth guarter of 2020 goes, it

will determine whether we see something like 2018 or more like 2019.

I think I will pause and just ask if any of the Trustees have questions about that? I know that is more of a summary review but I want to be respectful of your time and agenda.

MEMBER MCPHILLIPS: Brady, I have one quick question. I imagine you do asset allocations for a variety of clients in your organization.

When you do that, just like you presented to us, you have this correlation matrix.

Has that correlation matrix changed much since we did our asset allocation three plus years ago?

MR. O'CONNELL: The correlation matrix tends not to change. So for the Trustees there are three inputs into the asset liability process. The expected return from the asset class, the risk of the different asset classes and then the correlation among the various asset classes.

The correlation and the risk numbers tend to be a little more stable but because we use a ten-year projection so we're trying to model how asset classes interact over long periods of time.

It is almost impossible to model how they will react with one another over short periods of time and I think we have seen that this year.

The return expectations tend to be more gradual and there's been I think the change from three years ago has probably been a reduction in the expected return for both stocks and bonds, a modest reduction. And, interestingly, this year we introduced our capital market assumption at the beginning of each calendar year so in January. So we have decided so far not to make any changes to our capital market expectations based on the turbulence that we have seen so far during 2020.

MEMBER MCPHILLIPS: Thank you, very much, Brady. I appreciate that.

MS. SCOTT: The next set of charts I am not going to go through. It shows the Fund by asset class. Just in summary the U.S. equity looks pretty good. Non-U.S. equity, like we have mentioned, the value managers are kind of at the bottom of their peer group. And fixed income actually the five year number looks good. We are allocating two top managers.

24 The other charts that I included are the

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1
     exposure charts from a bottom up prospective.
2
     Again, just showing from a stock prospective, it
 3
     shows the portfolio primarily that we are
     overweight in small and mid-cap in our equity
 4
 5
     position.
               Barring no further discussion or
 6
 7
     questions, that concludes the Investment Report.
8
               MEMBER MARTIN: Do you need a motion to
 9
     spread it on the record?
10
               MS. SCOTT: Sure.
11
               MEMBER MARTIN: Motion to spread
12
     Investment Report on the record.
13
               MEMBER McPHILLIPS: Second.
14
               CHAIRMAN FORTUNA: There is a motion by
15
     Trustee Martin seconded by Trustee McPhillips.
16
               Trustee Martin.
17
               MEMBER MARTIN: Yes.
18
               CHAIRMAN FORTUNA: Trustee Soni.
19
               MEMBER SONI: Yes.
20
               CHAIRMAN FORTUNA: Trustee
21
     Conyears-Ervin.
22
               MEMBER CONYEARS-ERVIN: Yes.
23
               CHAIRMAN FORTUNA: Trustee McPhillips.
               MEMBER McPHILLIPS: Yes.
24
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1	CHAIRMAN FORTUNA: Trustee Holt.						
2	MEMBER NANCE-HOLT: Yes.						
3	CHAIRMAN FORTUNA: Trustee Murphy.						
4	MEMBER MURPHY: Yes.						
5	CHAIRMAN FORTUNA: And I am a yes.						
6	Motion carries.						
7	MEMBER MARTIN: Mr. President, moving on						
8	to Item 7, Expenditures. Under Item A,						
9	Administrative Expenses for Board Review and						
10	Approval. I would like to make a motion to approve						
11	the Administrative Expenses as presented.						
12	MEMBER McPHILLIPS: Second.						
13	CHAIRMAN FORTUNA: There's a motion by						
14	Trustee Martin seconded by Trustee McPhillips.						
15	Trustee Martin.						
16	MEMBER MARTIN: Yes.						
17	CHAIRMAN FORTUNA: Trustee Soni.						
18	MEMBER SONI: Yes.						
19	CHAIRMAN FORTUNA: Trustee						
20	Conyears-Ervin.						
21	MEMBER CONYEARS-ERVIN: Yes.						
22	CHAIRMAN FORTUNA: Trustee McPhillips.						
23	MEMBER McPHILLIPS: Yes.						
24	CHAIRMAN FORTUNA: Trustee Holt.						

1 MEMBER NANCE-HOLT: Yes. 2 CHAIRMAN FORTUNA: Trustee Murphy. 3 MEMBER MURPHY: Yes. CHAIRMAN FORTUNA: And I am a yes. 4 5 Motion carries. 6 MEMBER MARTIN: Mr. President, moving on 7 to the Executive Director's Report, Item 8, Steve. 8 MR. SWANSON: Thank you, very much. 9 I just wanted to cover very quickly the 10 first six items on the Executive Director's Report 11 are the submission of the Funding Resolution to the City. 12 13 I just wanted to document that fully and 14 all the attachments that were included with it and 15 it went to the Budget Director, the City officials 16 and City Council. Just so we have that, no action 17 is needed. 18 Items 7 and 8 are Trustee education opportunities. One is the Callan College in 19 October and another is the Principal Investment 20 21 Conference in November. Both of those are virtual. 22 Just a reminder that the Trustees need 23 to get education hours in. Within the year they 24 need a total of eight.

And then I believe the next item we have on the agenda would be an update of the Authorized Signature Resolution. This is something that Lorna worked on, added her comments, Fund counsel also reviewed it and signed off on the changes that were made. Largely, it was just to document how we currently operate. Some of the changes we have had recently. Now we use electronic approvals at Northern where you no longer need to send a letter. We make sure that the same people mentioned on this resolution have that electronic access and do those approvals.

It's also updating that the investment contracts are clarifying that the initial contracts will be signed by the Fund President and Fund Secretary and any addendums to the contract or additions the CIO can sign as well.

That is my summary of that, if anyone has any more questions or if Lorna wants to add anything or Fund counsel, that is it.

CHAIRMAN FORTUNA: Any questions?

MEMBER MCPHILLIPS: Could you give me a quick review who you are going to send the funding letter to? I see the Chairman of the Finance

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1
     Committee.
2
               MR. SWANSON: The Item Number 1 is the
 3
     funding letter that is requested by the City.
     Where it goes to the Budget Director, Chief
 4
     Financial Officer and the City Comptroller.
 5
                                                   I have
     sent that and then I believe the last item is it
 6
 7
     also goes to the City Council as well under the
     Pension Code so I always send that to the Chairman
8
 9
     on the Committee on Finance.
10
               MEMBER MCPHILLIPS: Has that been sent
11
     already?
               MR. SWANSON: Yes, they have all been
12
13
     sent.
14
               MEMBER MCPHILLIPS: I thought you would
15
     have included the date March 1st in the letter to
16
     the Finance Chairman because that is the day they
17
     have to make that deposit by, but I am sure he can
18
     read it. Thank you.
               MR. SWANSON: We certainly can do that
19
20
     going forward.
21
               MEMBER MCPHILLIPS: Thank you for your
22
     efforts.
23
               CHAIRMAN FORTUNA: I believe I am going
24
     to need two motions here. I am going to need a
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1	motion to accept the Director's Report and then I						
2	am going to need another separate motion to approve						
3	the revised signature resolution.						
4	MEMBER NANCE-HOLT: Motion to accept the						
5	Executive Director's Report.						
6	MEMBER MARTIN: Second.						
7	CHAIRMAN FORTUNA: Motion to accept the						
8	Director's Report.						
9	MEMBER MARTIN: Second.						
10	CHAIRMAN FORTUNA: Trustee Holt made the						
11	motion seconded by Trustee Martin.						
12	Trustee Martin.						
13	MEMBER MARTIN: Yes.						
14	CHAIRMAN FORTUNA: Trustee Soni.						
15	MEMBER SONI: Yes.						
16	CHAIRMAN FORTUNA: Trustee						
17	Conyears-Ervin.						
18	MEMBER CONYEARS-ERVIN: Yes.						
19	CHAIRMAN FORTUNA: Trustee McPhillips.						
20	MEMBER McPHILLIPS: Yes.						
21	CHAIRMAN FORTUNA: Trustee Holt.						
22	MEMBER NANCE-HOLT: Yes.						
23	CHAIRMAN FORTUNA: Trustee Murphy.						
24	MEMBER MURPHY: Yes.						

1	CHAIRMAN FORTUNA: And I am a yes.						
2	Motion carries.						
3	CHAIRMAN FORTUNA: I would need a motion						
4	on the revised signature resolution. Do I have a						
5	motion?						
6	MEMBER MARTIN: I will make that						
7	motion.						
8	MEMBER SONI: Second.						
9	CHAIRMAN FORTUNA: Motion by Trustee						
10	Martin seconded by Trustee Soni.						
11	Trustee Martin.						
12	MEMBER MARTIN: Yes.						
13	CHAIRMAN FORTUNA: Trustee Soni.						
14	MEMBER SONI: Yes.						
15	CHAIRMAN FORTUNA: Trustee						
16	Conyears-Ervin.						
17	MEMBER CONYEARS-ERVIN: Yes.						
18	CHAIRMAN FORTUNA: Trustee McPhillips.						
19	MEMBER McPHILLIPS: Yes.						
20	CHAIRMAN FORTUNA: Trustee Holt.						
21	MEMBER NANCE-HOLT: Yes.						
22	CHAIRMAN FORTUNA: Trustee Murphy.						
23	MEMBER MURPHY: Yes.						
24	CHAIRMAN FORTUNA: And I am a yes.						

1 Motion carries. 2 MEMBER MARTIN: Moving to the next item, 3 the fiduciary liability presentation. Mary Pat and 4 Steve. 5 MR. SWANSON: I believe we have Craig on the phone, our broker. Or actually on zoom, he is 6 7 there. 8 MR. GOESEL: Craig Goesel. Nice to see 9 all of you, physically that is. I represent 10 Alliant Insurance Services. We had spun off from 11 Mesirow Financial about three years ago and joined this company. 12 13 If we could go to Slide 4, we are talking 14 about the Fiduciary Liability Insurance Renewal for 15 the Board of Trustees and the Pension System. 16 I am joined by my colleague Bruno Amici, 17 who recently joined me about a year ago from 18 Brazil. He worked with public pension funds in Brazil as well so he's a very experienced 19 20 individual working in this space. 21 On Slide 4, I show about ten items why we feel like we add value to the process. 22

want go through them ad nauseam. I do want to

23

24

point out a couple.

We have a dedicated group to organized labor, including public pension systems. We are all former underwriters and/or brokers working in this space specifically and we do have a dedicated claims advocacy team that would advocate on your behalf should we have a claim, knock on wood that we do not.

Slide 5, the next slide, please. I show a quick snapshot of very large representatives of clients. Some in Illinois. Some in California.

Some spread out throughout the nation. I will let you read at your leisure.

Let's talk about the general market conditions with regard to insurance. I am on Slide 6. So as we are closing out 2019, the insurance marketplace started to harden dramatically. That concept harden means it shifted from what was called the buyer's market, you are the buyer of insurance, to a seller's market, that was happening before Covid.

I show some industry examples or industry snapshots from periodicals in the industry.

Whenever we are referring to directors and officers in insurance, it is a catch-all for directors, and

officers, fiduciary liability and other management liability lines.

Going into Slide 7, more updated. Once 2020 arrived and the pressing of COVID-19, obviously, the insurance marketplace changed dramatically.

There is a number of issues obviously associated with it. The financial markets in turmoil. Volatility in the financial market. But probably even more importantly, the insurance carrier's price for uncertainty and they underwrite to uncertainty and these are by definition very uncertain times.

The insurance carriers want to make sure or insure that throughout the policy term their clients aren't going to sustain major financial risk or try to hedge their underwriting exposure.

So they have started to abbreviate limit profiling available to any one single client, increasing deductibles and increasing pricing.

Again, I show four or five bullets here, sort of headlines from industry periodicals going up until just this month, suggesting there is about an average of 59 percent year-over-year price

increases for all management liability purchasers
in the industry. So, unfortunately, a rather bleak
picture showing the insurance industry.

On Slide 8, I show our procurement request. Much like in your years past, we take some of the publicly available information for the Firemen's Annuity and Benefit Fund, including the caps in the actuarial report and some other updated information, including employee counts, et cetera, and send that information to all of the insurance carriers that do offer fiduciary liability insurance to public pension systems, that is already an abbreviated group.

The fact that we are a part of an Illinois pension system and a Chicago pension system and have significant underfunding issues, those numbers of carriers gets abbreviated even that much more.

Where there basically are four insurance carriers that are willing to offer this type of insurance to a Chicago public pension fund.

On Slide 9, I summarize all of those carriers that we have approached and their responses. I will let you review them.

It is healthy to note that as of last year ULLICO was the lead carrier and only carrier for the 10 million profile that we had.

WILICO had sent around notice that they will be cutting limits. So, therefore, in order to build this 10 million dollar expiring program, we did need to use two insurance markets, which I will showcase in a minute.

Fortunately, we did get responses from at least two carriers that were interested in participating in the program.

Let's go to Slide 12, I am going to hit the highlights here and then talk about a possible change to coverage or a definite change to coverage.

On Slide 12, we show in that first column the coverage provisions. This includes fiduciary liability insurance, which protects all of the Trustees around the Board as well as the Executive Director and staff from claims alleging mismanagement of the pension system.

Obviously, the Illinois Pension Code does provide or establish the roles and responsibilities of the various Trustees. It also establishes what

their liabilities are and does state what their protections and/or limitations to those protections are.

The Illinois Pension Code does not guarantee protection for the Trustees. Whereby this insurance policy is intended to not only in-fill that guarantee of indemnity to the Trustees but also provide sort of a financial backstop if the pension system itself, the Fire Fund, is intended to indemnify the Trustees for a claim alleging breach of fiduciary duty.

Employment practices liability coverage is built into the program as well. We added that about five years ago. That is a million dollars of limit, that covers breach of Title VII type claims. That would be harassment, sexual harassment, discrimination, wrongful termination type claims.

And then cyber liability insurance as well, that is a product we added about four years ago. It is an off date. It is a November 30th effective date. I did want to reference it here only to showcase that you do indeed have this insurance. I did not include the premium in the expiring nor in the forward going numbers but that

- is a product that costs about \$8700 on an
 annualized basis. Again, that will be coming up at
 the end of November and we are not yet prepared to
 negotiate with the insurance carrier for that
 effective date.
 - The expiring 10 million dollar profile, with those coverages that I had discussed, is costing about \$115,000 on an annualized basis.

- Last year the Trustees had asked for a couple of different options. As you recall, we were coming down from the 15 million dollar limit going into last year's renewal, going into this time last year.
- I also wanted to show what obviously your retiring program would look like but what lower limits and higher limits would be.
- I do show my highlighted option, my recommended limit, which is to maintain the same limit profile.
- The differences between Options 1, 2 and 3 are very clearly the limit profile, which is bolded up top. And, obviously, the pricing associated with it.
- 24 My recommendation is to move with Option

1 10. I do want to bring this or highlight this scenario and I am looking at my notes.

When talking to ULLICO, and they were talking about their reduction limit profile, which again is not unique to Chicago Fire Fund, that is something ULLICO and all insurance carriers are looking to make it their limit profiling to any one customer.

But when looking at the Chicago Fire

Fund's specifically, ULLICO stated that it is the

lowest funded or has the poorest funding ratio of

any of their pension systems in their entire

portfolio.

Now this is an insurance carrier that does write not only Illinois risk, but also California risk. I am not suggesting they write all of them. I fully recognize there are more difficult or more challenged funds in the nation. ULLICO may not write those insurance program.

To that end, ULLICO is instituting or pushing a failure to pay benefits due, due to inadequate funding exclusions, on any of the policies that would be secured.

This is a change from years past. They

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1
     would be putting an inadequate funding exclusion on
 2
     the policy, if we were to renew any one of these
 3
     options.
               MS. BURNS: Craig, can you provide us
 4
 5
     with a copy of that language?
               MR. GOESEL: Absolutely. Again, for the
 6
 7
     record, failure to pay benefits due to inadequate
     funding.
8
 9
               MS. BURNS: What does that mean? So if
10
     somebody makes a claim and says that because
11
     Trustees made bad decisions in the past and
     therefore the Fund is inadequately funded, would
12
13
     that be covered or not?
14
               Or, if somebody said that we didn't seek
15
     funding as Trustees, would that be covered or not?
16
               MR. GOESEL: Counsel, those are very good
17
     questions and those are exactly what the insurance
18
     carriers are trying to drive home here.
               Again, I will state that it says failure
19
20
     to pay benefits due to inadequate funding. There
     is preamble to the funding issue. It is a failure
21
22
     to pay benefits due to the inadequate funding.
23
               MEMBER MCPHILLIPS: If we fail to pay
24
     benefits, we would be covered. But if we failed to
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1 pay benefits because we said we have inadequate 2 funding, the insurance carrier would not cover us? 3 MR. GOESEL: Allocations for failure to pay payments associated with a breech of fiduciary 4 5 duty have indeed been covered, not necessarily for this plan but for some of the reciprocal plans as 6 7 you can well imagine or systems I should say. So claims of breech of fiduciary duty 8 9 associated with not paying benefits are indeed 10 defendable claims and have already been covered by 11 this policy for similar Chicago pension systems. So, yes, sir. 12 13 MS. BURNS: Craig, could I ask you has 14 this new provision been submitted in any of the 15 insurance policies you have placed on behalf of the 16 other City funds or just this fund? 17 MR. GOESEL: Not as of yet, no, they have 18 We have another pension system next week that is reviewing the coverage and I am going to be 19 speaking to them about a similar exclusion. 20 21 MS. BURNS: Is it just really Police and Fire then? 22 23 MR. GOESEL: Correct. 24 MS. BURNS: I find that very offensive to

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1
     my trustees that they would have this exposure at a
2
     time when they really need the insurance directly
     because of that funding exposure, you know what I
 3
 4
     mean?
 5
               Is there any way we can address this to
     another insurance company?
 6
 7
               MR. GOESEL: I really wish, counsel, that
     there were. There are no other carriers willing to
8
 9
     submit the coverage.
               I have also asked the insurance carrier
10
11
     for pricing to keep this coverage static, if you
12
     will, or what would be the additional coverage to
13
     include, and they have not been willing to add the
14
     program.
15
               MEMBER CONYEARS-ERVIN: So you are saying
16
     there was no concern with Municipal and Laborers
17
     but it was with Police and Fire, that is what you
18
     are saying?
               MR. GOESEL: Correct.
19
20
               MEMBER SONI: Could you repeat that last
     statement again?
21
22
               MEMBER CONYEARS-ERVIN: So Municipal and
23
     Laborers there is no change but the change is to
     Police and Fire.
24
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1 MEMBER SONI: Okay. Thank you. 2 MS. BURNS: If Craig has completed with 3 his presentation, again, for the record, your recommendation as the broker for the Firemen's Fund 4 5 is that we renew the coverage under Option 3, with the caveat with respect to the change in coverage 6 7 that you articulated, that is your recommendation? 8 MR. GOESEL: Correct. 9 MEMBER MCPHILLIPS: What is counsel's 10 recommendation? 11 MS. BURNS: I have a couple thoughts. 12 One, I'd like to have the Board at least entertain 13 this motion so that we have this coverage in place 14 and then I'd like to talk to the Trustees about 15 other ways we can secure the Trustees so that they 16 don't have exposure personally on this issue. 17 Because as I have told you before, you are the only 18 people that have personal liability in the whole system and I'd like to explore ways with you that 19 we can limit that. 20 21 MEMBER MARTIN: I'd like to make a motion 22 to approve our broker's recommendation for Option 23 3. 24 MEMBER McPHILLIPS: Second.

ĺ							
1	CHAIRMAN FORTUNA: Motion from Trustee						
2	Martin seconded by Trustee McPhillips.						
3	Trustee Martin.						
4	MEMBER MARTIN: Yes.						
5	CHAIRMAN FORTUNA: Trustee Soni.						
6	MEMBER SONI: Yes.						
7	CHAIRMAN FORTUNA: Trustee						
8	Conyears-Ervin.						
9	MEMBER CONYEARS-ERVIN: Yes.						
10	CHAIRMAN FORTUNA: Trustee McPhillips.						
11	MEMBER McPHILLIPS: Yes.						
12	CHAIRMAN FORTUNA: Trustee Holt.						
13	MEMBER NANCE-HOLT: Yes.						
14	CHAIRMAN FORTUNA: Trustee Murphy.						
15	MEMBER MURPHY: Yes.						
16	CHAIRMAN FORTUNA: And I am a yes.						
17	Thank you.						
18	MR. GOESEL: Sorry I didn't have better						
19	news for you, Trustees.						
20	MEMBER MARTIN: Moving on to New						
21	Business/Old Business.						
22	CHAIRMAN FORTUNA: Any New Business? Any						
23	Old Business?						
24	MEMBER CONYEARS-ERVIN: Mary Pat, did you						

1 want to save it for another meeting to discuss 2 further protection? 3 MS. BURNS: Yes, ma'am. Thank you. I would like a little bit of time to work on this and 4 5 talk to the Police Fund to make sure that you are protected in the same manner as similarly situated 6 7 Trustees over there are protected. 8 I am especially concerned about Trustees 9 like you and Trustee Soni, who are gracious enough 10 to serve on a number of funds, because I don't want 11 you getting pulled into a mess because some funds are covered and some funds aren't covered. I need 12 13 to spend some time working on it and then I will be 14 back to you. MEMBER CONYEARS-ERVIN: Thank you. 15 16 MEMBER SONI: We appreciate that. 17 you. 18 MS. BURNS: You're welcome. 19 CHAIRMAN FORTUNA: Thank you, Mary Pat. MEMBER NANCE-HOLT: Motion to adjourn. 20 21 MEMBER MCPHILLIPS: Second. CHAIRMAN FORTUNA: All in favor? 22 23 (Chorus of ayes.) CHAIRMAN FORTUNA: Opposed? 24

1	Hearing none, motion carries.
2	
3	(WHICH WERE ALL THE PROCEEDINGS
4	IN THE ABOVE-ENTITLED MEETING
5	AT THIS DATE AND TIME.)
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
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6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
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17	<u>Debbis Tyrrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
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DEBBIE TYRRELL REPORTING SERVICE

(630) 292-1742

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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1078)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the audio conference meeting of the above-entitled
12	matter, held at 20 South Clark Street, Suite 300,
13	in the City of Chicago, County of Cook, State of
14	Illinois, on Wednesday, September 16, 2020,
15	commencing at the hour of 8:30 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

1	APPEARANCES
2	BOARD MEMBERS:
3	
4	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	ANNA VALENCIA, City Clerk
10	RESHMA SONI, City Comptroller
11	ANNETTE NANCE-HOLT, Active Trustee
12	ATTORNEYS FOR THE BOARD:
13	BURKE, BURNS AND PINELLI, LTD.
14	BY: MS. MARY PATRICIA BURNS
15	MR. VINCENT PINELLI
16	ALSO PRESENT:
	LORI LUND, Deputy Director
17	STEVEN R. SWANSON, Executive Director
18	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
	MARC TORRES, IT Analyst
19	MARK MYSLINSKI, City Treasurer's Office
20	MICHAEL I. PETERS, M.D., Board Physician
20	BRADY O'CONNELL, Callan CRAIG GOESEL, Alliant
21	
22	
23	
24	CHAIRMAN FORTUNA: Roll call, please.

1	MEMBER MARTIN: Trustee Martin. Present.
2	Trustee Fortuna.
3	CHAIRMAN FORTUNA: Here.
4	MEMBER MARTIN: Trustee Reshma Soni.
5	MEMBER SONI: Here.
6	MEMBER MARTIN: Trustee Holt.
7	MEMBER NANCE-HOLT: Here.
8	MEMBER MARTIN: Trustee McPhillips.
9	Trustee Murphy.
10	MEMBER Trustee Murphy.
11	MEMBER MURPHY: Here.
12	MEMBER MARTIN: Trustee Conyears-Ervin.
13	We have a quorum. We can begin, Mr.
14	President.
15	CHAIRMAN FORTUNA: Thank you. We have a
16	quorum.
17	I need to make some remarks this morning.
18	Public Act 101-0646 allows this meeting
19	to be conducted by audio and video conference. The
20	Act requires a roll call vote on each matter acted
21	on.
22	Further, consistent with Public Act
23	101-0640, for the record, I am physically present
24	at the Fund's office as is Executive Director

Swanson.

We are proceeding by video conference because we continue to believe that due to the pandemic it is prudent to not be physically present in the same space.

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 to the public on the Fund's website.

Thank you.

MEMBER MARTIN: Mr. President, consistent with Public Act 91-0715 and reasonable constraints determined by the Board of Trustees at each Regular Meeting of the Board and its committees that are open to the public, members of the public may request a brief time to address the Board on relevant matters within its jurisdiction.

Are there any members of the public that wish to comment today?

Hearing none, we will move on.

First we will turn to the Approval of Administrative Items. Approval of Minutes of the

```
1
     regular audio meeting of August 21, 2020 and the
2
     regular audio meeting transcript of August 21,
 3
     2020. I make a motion to approve the Minutes and
     the transcript of the August 21 meeting. Is there
 4
     a second?
 5
               MEMBER NANCE-HOLT: Second.
 6
 7
               CHAIRMAN FORTUNA: There's a motion and a
8
     second by Trustee Holt.
9
               Trustee Martin.
10
               MEMBER MARTIN: Yes.
11
               CHAIRMAN FORTUNA: Trustee Soni.
12
               MEMBER SONI: Yes.
13
               CHAIRMAN FORTUNA: Trustee
14
     Conyears-Ervin.
15
               MEMBER CONYEARS-ERVIN: I was wondering
16
     when you were going to call me. I'm here.
17
     morning. Yes.
18
               CHAIRMAN FORTUNA: I'm sorry. I just saw
19
     you in the corner. Good morning.
20
               Trustee Murphy.
21
               MEMBER MURPHY: Yes.
22
               MEMBER MARTIN: Mr. President, Item B,
23
     the Minimum Formula Annuities.
24
               CHAIRMAN FORTUNA: Hold on.
                                            Let the
```

1	record reflect that Trustee Conyears-Ervin is now
2	on our video and we have a motion and a second and
3	hearing no one opposed motion carries.
4	MEMBER MARTIN: Mr. President, under Item
5	B, Minimum Formula Annuities. I make a motion to
6	approve the Minimum Formula Annuities starting with
7	Member 11474 and ending with Member 16212. Is
8	there a second?
9	MEMBER MURPHY: Second.
10	CHAIRMAN FORTUNA: Motion by Trustee
11	Martin. Second by Trustee Murphy.
12	Trustee Martin.
13	MEMBER MARTIN: Yes.
14	CHAIRMAN FORTUNA: Trustee Soni.
15	MEMBER SONI: Yes.
16	CHAIRMAN FORTUNA: Trustee
17	Conyears-Ervin.
18	MEMBER CONYEARS-ERVIN: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: And I am a yes.
24	Motion carries.

1	MEMBER MCPHILLIPS: Good morning. Sorry
2	I am late.
3	CHAIRMAN FORTUNA: Let the record reflect
4	that Trustee McPhillips is now on video.
5	MEMBER MCPHILLIPS: Can I ask what motion
6	just passed?
7	MEMBER MARTIN: That would be Items A and
8	B, that would be the approval of the Minutes from
9	August 21, 2020 and the Minimum Formula Annuities.
10	Moving to Item C, if that is okay, the
11	Survivor Annuities. Widow's and Children's
12	Annuities.
13	Mr. President, I make a motion to approve
14	the Widow's Annuities starting with Member 07940
15	through Member 11431.
16	CHAIRMAN FORTUNA: Is there a second?
17	MEMBER NANCE-HOLT: Second.
18	MEMBER MARTIN: Motion to approve by
19	Trustee Martin. Second by Trustee Holt.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

i	
1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MEMBER MARTIN: Mr. President, moving on
12	to Refunds. I make a motion to approve the Refunds
13	beginning with Member 16745 and continuing through
14	to Member 19667.
15	MEMBER SONI: Second.
16	CHAIRMAN FORTUNA: Motion by Trustee
17	Martin. Seconded by Trustee Soni.
18	Trustee Martin.
19	MEMBER MARTIN: Yes.
20	CHAIRMAN FORTUNA: Trustee Soni.
21	MEMBER SONI: Yes.
22	CHAIRMAN FORTUNA: Trustee
23	Conyears-Ervin.
24	MEMBER CONYEARS-ERVIN: Yes.

i	
1	CHAIRMAN FORTUNA: Trustee McPhillips.
2	MEMBER McPHILLIPS: Yes.
3	CHAIRMAN FORTUNA: Trustee Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee Murphy.
6	MEMBER MURPHY: Yes.
7	CHAIRMAN FORTUNA: And I am a yes.
8	Motion carries.
9	MEMBER MARTIN: Mr. President, moving on
10	to Item E, Death Benefits. I move to approve the
11	death benefits starting with Member 07940
12	continuing through to Member 10486.
13	MEMBER McPHILLIPS: Second.
14	CHAIRMAN FORTUNA: Motion by Trustee
15	Martin and seconded by Trustee McPhillips.
16	Trustee Martin.
17	MEMBER MARTIN: Yes.
18	CHAIRMAN FORTUNA: Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee
21	Conyears-Ervin.
22	MEMBER CONYEARS-ERVIN: Yes.
23	CHAIRMAN FORTUNA: Trustee McPhillips.
24	MEMBER McPHILLIPS: Yes.

1	CHAIRMAN FORTUNA: Trustee Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee Murphy.
4	MEMBER MURPHY: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	The motion carries.
7	MEMBER MARTIN: Mr. President, moving on
8	to Item F, Partial Payments. I would like to make
9	a motion to approve the Partial Payments beginning
10	with Member 07940 and continuing through to Member
11	11431.
12	MEMBER NANCE-HOLT: Second.
13	MEMBER MARTIN: There is a motion by
14	Trustee Martin. Seconded by Trustee Holt.
15	Trustee Martin.
16	MEMBER MARTIN: Yes.
17	CHAIRMAN FORTUNA: Trustee Soni.
18	MEMBER SONI: Yes.
19	CHAIRMAN FORTUNA: Trustee
20	Conyears-Ervin.
21	MEMBER CONYEARS-ERVIN: Yes.
22	CHAIRMAN FORTUNA: Trustee McPhillips.
23	MEMBER McPHILLIPS: Yes.
24	CHAIRMAN FORTUNA: Trustee Holt.

1	MEMBER NANCE-HOLT: Yes.
2	CHAIRMAN FORTUNA: Trustee Murphy.
3	MEMBER MURPHY: Yes.
4	CHAIRMAN FORTUNA: And I am a yes.
5	Motion carries.
6	MEMBER MARTIN: Mr. President, moving on
7	to Benefit Recalculations. Mr. President, there
8	are three Refund Errors in Deductions. I move to
9	approve the Benefit Recalculations for Member 14200
10	through Member 15413.
11	MEMBER SONI: Second.
12	CHAIRMAN FORTUNA: Motion by Trustee
13	Martin. Seconded by Trustee Soni.
14	Trustee Martin.
15	MEMBER MARTIN: Yes.
16	CHAIRMAN FORTUNA: Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: And I am a yes.
4	The motion carries.
5	MEMBER MARTIN: Moving to Item H, Request
6	for Permission for Guardianship. There is one
7	guardianship for Member 08969, widow Sabina Ciszek
8	by her son. Staff confirms that the doctor's
9	letter and Power of Attorney is on file. I make a
10	motion to approve the guardianship, Mr.
11	President.
12	MEMBER NANCE-HOLT: Second.
13	CHAIRMAN FORTUNA: Motion to approve by
14	Trustee Martin. Second by Trustee Holt.
15	Trustee Martin.
16	MEMBER MARTIN: Yes.
17	CHAIRMAN FORTUNA: Trustee Soni.
18	MEMBER SONI: Yes.
19	CHAIRMAN FORTUNA: Trustee
20	Conyears-Ervin.
21	MEMBER CONYEARS-ERVIN: Yes.
22	CHAIRMAN FORTUNA: Trustee McPhillips.
23	MEMBER McPHILLIPS: Yes.
24	CHAIRMAN FORTUNA: Trustee Holt.

1	MEMBER NANCE-HOLT: Yes.
2	CHAIRMAN FORTUNA: Trustee Murphy.
3	MEMBER MURPHY: Yes.
4	CHAIRMAN FORTUNA: And I am a yes.
5	Motion carries.
6	MEMBER MARTIN: Mr. President, there are
7	also three requests to reside out of state for
8	Member 17250, Member 17182, and Member 16451. I
9	make a motion to approve.
10	MEMBER McPHILLIPS: Second.
11	CHAIRMAN FORTUNA: There is a motion to
12	approve by Trustee Martin. Seconded by Trustee
13	McPhillips.
14	Trustee Martin.
15	MEMBER MARTIN: Yes.
16	CHAIRMAN FORTUNA: Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: And I am a yes.
4	Motion carries.
5	MEMBER MARTIN: Mr. President, moving on
6	to Removals. I move to approve the Removals
7	starting with Edward F. Burgess and ending with
8	Nico Giuffre. Mr. President, I make the motion.
9	MEMBER CONYEARS-ERVIN: Second.
10	CHAIRMAN FORTUNA: There is a motion for
11	Removals by Trustee Martin. Seconded by Trustee
12	Conyears-Ervin.
13	Trustee Martin.
14	MEMBER MARTIN: Yes.
15	CHAIRMAN FORTUNA: Trustee Soni.
16	MEMBER SONI: Yes.
17	CHAIRMAN FORTUNA: Trustee
18	Conyears-Ervin.
19	MEMBER CONYEARS-ERVIN: Yes.
20	CHAIRMAN FORTUNA: Trustee McPhillips.
21	MEMBER McPHILLIPS: Yes.
22	CHAIRMAN FORTUNA: Trustee Holt.
23	MEMBER NANCE-HOLT: Yes.
24	CHAIRMAN FORTUNA: Trustee Murphy.

1	MEMBER MURPHY: Yes.
2	CHAIRMAN FORTUNA: Trustee Valencia.
3	MEMBER VALENCIA: Yes.
4	CHAIRMAN FORTUNA: And I am a yes.
5	Motion carries.
6	MEMBER MARTIN: Mr. President, under
7	Request for Approval of Payments Pursuant to
8	Administrative and Court Orders, I move that the
9	administrative court orders pertaining to Members
10	011116 through 014796 be approved.
11	MEMBER CONYEARS-ERVIN: Second.
12	CHAIRMAN FORTUNA: Motion for approval by
13	Trustee Martin. Seconded by Conyears-Ervin.
14	Trustee Martin.
15	MEMBER MARTIN: Yes.
16	CHAIRMAN FORTUNA: Trustee Soni.
17	MEMBER SONI: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: And I am a yes.
4	Motion carries.
5	MEMBER MARTIN: Mr. President, I don't
6	know, do we have Yll Kacija on the phone?
7	MR. TORRES: I haven't gotten a call yet
8	from the number I received. It hasn't shown up
9	yet.
10	MEMBER MARTIN: We will go out of the
11	regular order of business and move forward until we
12	have contact from him.
13	Moving on to the next item, which would
14	be approval of Board Physician Reviews of
15	Disability Recipients. Mr. President, I move to
16	approve the Board Physician's recommendations.
17	MEMBER MURPHY: Second.
18	CHAIRMAN FORTUNA: Motion to approve by
19	Trustee Martin. Seconded by Trustee Murphy.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: And I am a yes.
10	Motion carries.
11	MEMBER MARTIN: Mr. President, I'd like
12	to skip Item 6 because there may be some extensive
13	involvement with respect to investments so I would
14	like to move forward to Expenditures.
15	CHAIRMAN FORTUNA: Please do.
16	MEMBER MARTIN: I'd like to move to
17	approve the Administrative Expenses as presented.
18	MEMBER SONI: Second.
19	CHAIRMAN FORTUNA: Motion by Trustee
20	Martin for approval. Seconded by Trustee Soni.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1 CHAIRMAN FORTUNA: Trustee 2 Conyears-Ervin. 3 MEMBER CONYEARS-ERVIN: Yes. CHAIRMAN FORTUNA: Trustee McPhillips. 4 MEMBER McPHILLIPS: Yes. 5 CHAIRMAN FORTUNA: Trustee Holt. 6 7 MEMBER NANCE-HOLT: Yes. 8 CHAIRMAN FORTUNA: Trustee Murphy. 9 MEMBER MURPHY: Yes. CHAIRMAN FORTUNA: And I am a yes. 10 roll call. 11 MEMBER MARTIN: I'd like turn it over to 12 13 the Executive Director Steve Swanson for his 14 report. 15 MR. SWANSON: Thank you. I will go 16 through it fairly quickly. 17 The first item we have is we did a RFP 18 for auditing services. Jackie, our Comptroller, was kind enough to put together a quick summary for 19 20 everyone. 21 There was five responses. We had one 22 MWDBE vendor that responded. We will be looking at 23 recommending some finalists to bring in front of the Board. So we will recommend the finalists next 24

month, see if that meets the Board's approval, and 2 then we would look to bring the finalists in to 3 present to the Board come November.

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Hopefully, we can get this wrapped up so we are good to go at the beginning of the year to start our next financial reporting period.

The next item I have is the Illinois Economic Opportunity Report. We are required by the Pension Code to file this every year by August 31st. We have done that.

It lists the vendors that we use within the State of Illinois and also our investments that impact that.

I did work directly with Lorna Scott, our CIO, to make sure that that was put together and Lorna was extremely helpful and also Jackie and John in terms of the accounting with the vendors as well. They were very helpful in putting that together.

The last item we have is there is another trustee education opportunity with Callan regarding private equity on October 7th. So if you are interested, you can sign up. If you need more information, feel free to reach out to myself or

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1
     Lorna.
2
               MEMBER CONYEARS-ERVIN: Did we find out
 3
     how many hours that was?
               MR. SWANSON: That I have not found out
 4
 5
     yet. Lorna, do you know, or Brady? We do have
     Brady here actually from Callan, if he knows how
 6
 7
     many hours that is because it was not on the flier.
8
               MR. O'CONNELL: I think it is about a
     hour or hour and a half but I can confirm and maybe
9
10
     circle back during the investment section.
11
               MEMBER CONYEARS-ERVIN: That would be
12
     fine.
13
               TRUSTEE VALENCIA: This is Clerk
     Valencia. Sorry, I am on now.
14
15
               That would be great because I don't know,
16
     Steve, where my hours are for the year. Or,
17
     actually, I will follow up with you, Steve,
18
     separately to check that.
19
               MR. SWANSON: I believe you did some
20
     training earlier in the year but we will double
21
     check that.
22
               MEMBER VALENCIA: Okay, thanks.
23
               CHAIRMAN FORTUNA: Let the record reflect
24
     that Trustee Valencia is now on our video and audio
```

1 call. 2 MEMBER VALENCIA: Thank you. 3 CHAIRMAN FORTUNA: You're welcome. 4 MEMBER MARTIN: Steve, do you want to 5 move to Craig Goesel's report on the fiduciary insurance? 6 7 MR. SWANSON: Yes, we could move into 8 that. 9 MEMBER MARTIN: We can probably do that It is listed as Item 8. 10 11 MR. GOESEL: Forgive the background 12 noise, I am on the tarmac on an airplane so I will 13 make this quick. 14 For better or for worse, those terms we 15 had talked about in August from the insurance 16 carriers are off the table. 17 Now the good news for the Firefighter's 18 Fund is that the terms that were quoted by Ullico in August frankly were significantly restricted 19 20 coverage for not only the Fund and the trustees. 21 The reason I say fortunately for the 22 Trustees in that we were able to go back out to 23 market and secure much better coverage from Euclid, 24 not Ullico, moving to Euclid, that actually

reserves and protects the same coverage for the personal liability, possible personal obligations, of the trustees.

So I had sent around a revised proposal to both the Executive Director and counsel this week and it better summarizes I think where the insurance basically starts and stops with regard to not only plan liability, but probably more importantly personal liability to trustees liability.

Our recommendation is going to be to move to Euclid as the primary carrier as they are not restricting the coverage for personal liability of the trustees. Albeit they are restricting coverage for the plan liability associated with funding deficiencies.

As I had mentioned, the insurance marketplace took extreme exception to the funding deficiencies of the four Chicago funds, most notably the Chicago Firefighter Fund.

And the insurance carrier, if you look on Slide 13, I do a comparison of really the only two major differences between the options and they are relatively major differences.

On Slide 13, we show two insurance provisions. A failure to fund claim and a legal challenges claim.

As you can see in the first column, you historically had 10 million dollars of limit available for defense of those types of allegations, for those types of claims, from the public at large, the beneficiaries, et cetera.

Ullico restricted that coverage downward to only 4 million dollars of coverage whether it is plan liability or personal liability, that is a big exception as we had talked about three weeks ago.

Euclid is able to provide that 10 million dollars of liability for the personal liability that might be imposed upon individual trustees.

MEMBER MARTIN: Craig, I do have a quick question on this. The only question I have, Craig, with respect to the whole funding issue, with that concern of the insurance carrier, was it explained to them thoroughly about the City's increased commitment in contributions moving forward? You know, the change in the statute and that we are moving from this old archaic multiplier method to an actuarial funding moving forward?

1 MR. GOESEL: Indeed, Trustee Martin. 2 They have been intimately aware and frankly that is 3 one of the reasons we have been able to get any 4 coverage for defense of that type of claim 5 vis-a-vis the plan. Without it, frankly, I think the 6 7 insurance carriers would have provided us zero coverage for a failure to fund deficiency claim 8 9 vis-à-vis the plan liability. 10 But, yes, Trustee Martin, that was 11 explained and discussed and I think they have a 12 full understanding of it. 13 MEMBER MARTIN: Based on your discussions 14 and maybe Mary Pat can speak to this -- Mary Pat, 15 are you now comfortable with the recommendation of 16 our broker? 17 MS. BURNS: Thank you, Trustee Martin. 18 I am not comfortable with what the insurance companies are doing. I think that after 19 20 years of taking premiums from the Fund they should 21 be stepping up. 22 I do agree with Alliant's recommendation 23 that the Euclid policy is better for the Fund and 24 the Trustees than the Ullico policy.

I am not thrilled with the changes. I

think those deductibles are extremely high and put

the Fund at-risk, more risk than it was before.

But my analysis is that the Fund would be

indemnifying you anyway so it is not prohibition on
you buying this coverage.

Do I think that in the future if this coverage gets lower or more restrictions get put into the policies in terms of what types of liabilities are covered, that I am not going to support purchasing this insurance. I have told Craig that.

We aren't going to buy coverage that doesn't exist. This year, this policy, what Craig is recommending is better than nothing but it is not great.

I am comfortable that this presentation accurately reflects the policy that is being offered as opposed to the last meeting where it was a little more convoluted and I appreciate Craig putting these slides together so trustees could actually see the differences.

The second factor, Trustee Martin, that made me comfortable is at the last fire fund

meeting there was some statement as to whether the coverage was going to differ for the Police and Fire Funds versus the Muni and Laborers Fund and Craig has represented to us that that is not the case.

So that when I have a trustee that sits on more than one fund, they are not going to be exposed. They are going to have the same coverage, assuming the plans pick coverage and engage coverage, they will be covered in the same manner.

The last thing I am concerned about, just so you understand and there is nothing we can do about it, is that in the past I have always told you that when you cease being a trustee, I was very comfortable because our fiduciary policy was the same year after year. Craig always maintained the policy so that it covers former trustees.

Now if you are a former trustee, let's just pick Mike Shanahan, for instance, he would think in his head that for the remainder of his statute of limitations on the claims that may have arose during his term as a trustee, that he would have 10 million dollars of coverage and now he does not so that is a big issue if you're a trustee.

But we did explore this topic with Craig,
Steve and I, and asked if there was any way we can
procure what is called occurrence insurance, that
would protect trustees once they left the Board, if
the act occurred during their tenure. Craig said
such coverage is not available and if it was
available it would be cost prohibitive.

Again, all those factors lead me to conclude that you should rely on your broker, he's an expert, and he is telling you that this is the best fiduciary insurance coverage that can be obtained at this time for a prudent cost.

I think we need to look at this issue more generally. We don't need to talk about this with other people on the phone. We should do it in closed session. But I do think that you should, as prudent trustees, explore other options and ways that we can protect you as trustees from serving in this role at a time when the economics are not conducive for serving as a trustee.

MR. GOESEL: If I may jump in with one clarifying statement, that past trustee that Mary Pat was drawing a parallel to, everything counsel has said is accurate. But if they are being

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personally liable, they still do have that 10
1
2
     million dollar limit available to them as of now.
 3
               I agree with counsel, if the terms change
     in the future, we might have to revisit or not buy
 4
 5
     the coverage. I totally agree with that.
               As of these terms, their personal
 6
 7
     liability, if deemed personally obligated, would
     still have the 10 million dollars available to
8
 9
     them.
               MS. BURNS: Thanks for that
10
11
     clarification, that helps.
12
               MEMBER MCPHILLIPS: Mary Pat, can I ask a
     quick question?
13
14
               MS. BURNS: Yes, sir.
15
               MEMBER MCPHILLIPS: Can you elaborate
16
     when you say you wish the insurance companies would
17
     step-up, what do you mean by that?
18
               MS. BURNS:
                           It's just that I think that
     if we looked at it over time as to how much money
19
     was being paid to Ullico over time for this
20
21
     insurance, that now when you approach a period of
22
     time where due to the pandemic, due to other
23
     challenges the City is facing, where there really
24
     may be a claim against the trustee or it is very
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possible that there would be a claim, that they are not allowing you to have the coverage that you have sort of paid for over the years.

Further, as Craig knows, I am a little upset that Ullico made a recommendation or offered insurance to the Cook County Fund that is a lot better than the coverage they were offering the City plans and it is for the reason that Craig mentioned.

and the Cook County Fund to be with the City plans for premium purposes so that they could bid and get a better price, then they were saying we will treat you all the same. We will put you into one big bucket and here we are now in that same bucket alledgedly and yet Cook County got the same coverage they had last year and their fee went up 2.3 percent I think for its coverage and I do think it is 15 million dollars of coverage. And now they are telling you we are only giving you City funds 10 million dollars of coverage and your premiums are going up approximately 32 to 35 percent. I don't find that fair.

So that is my complaint with Ullico but

1 it is not the brokers. The brokers can only do 2 what they can do.

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Ullico, as a company, I don't know if I would recommend you ever use them again.

MEMBER SONI: I just want to make sure that I understood that point that Craig made before. What is the difference between Cook County and our fund or any City fund, let's say, that would not give us the same provisions as Cook County?

MR. GOESEL: I think what Mary Pat is referencing, they, they the insurance carrier, the lead insurance carrier, is not putting a funding deficiency restriction upon the Cook County Fund. Again, personal liability, it is the same extension of coverage for your own personal liability trustees, but for the plan this carrier is implementing a 4 million dollar cap on defense costs associated with a funding deficiency, if it is the plan's obligation. For Cook County, no such restriction exists.

Now note that I think that fund is about 55 or 60 percent funded to compared to sub 20. They are paying more premiums clearly. But to Mary

24

Pat's point it is an issue.

MEMBER SONI: Craig, to the best of your knowledge or your background, do you think the fact that they have a higher funding ratio and of course paying the higher premium is what is giving them that ability that is not being offered to us?

MR. GOESEL: Yes, I think that is a lot of that. Not only that but I think the insurance carriers are also concerned about headline risk associated with Chicago and the possible tax base and where things are heading with regard to Chicago.

Is it a little bit of a knee jerk reaction? Without question. But it is a knee jerk reaction being felt by the entire insurance marketplace, not just Ullico. Euclid. AIG pulled out of the market.

Unfortunately, we are just sort of dealing with these very uncertain times and what the insurance world looks at, how the insurance world looks at, these four Chicago funds and those that are tied to a headline risk like Chicago right now.

MEMBER MARTIN: Reshma, are you

1 comfortable with that now? 2 MEMBER SONI: Yes. Thank you, Craig. 3 MEMBER MARTIN: What I'd like to do then 4 is I am going to try to do a combined motion here so we can do one roll call vote. 5 I would like to make a motion to rescind 6 7 the August 21, 2020 action of the Board authorizing 8 the renewal of the fiduciary liability insurance 9 policy and accept the recommendation of the Fund's 10 insurance broker to enter into a policy of 11 fiduciary insurance with Euclid, Option 7 in the presented materials, subject to documentation 12 13 reviewed and approved by the Executive Director and Fund counsel. Do I have a second? 14 15 MEMBER MURPHY: Second. 16 CHAIRMAN FORTUNA: Mary Pat, is that 17 good? 18 MS. BURNS: Yes, sir. CHAIRMAN FORTUNA: There is a motion by 19 Trustee Martin. Seconded by Trustee Murphy. 20 21 Trustee Martin. 22 MEMBER MARTIN: Yes. 23 CHAIRMAN FORTUNA: Trustee Soni. 24 MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER MARTIN: She may have left.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MR. GOESEL: Thank you, Trustees. Good
15	luck.
16	MEMBER MARTIN: Mr. President, I would
17	like to move to the Ordinary Disability application
18	of EMT Firefighter Yll Kacija.
19	Firefighter Kacija, are you on the line?
20	MR. KACIJA: Yes, sir.
21	MEMBER MARTIN: Given that we have
22	everybody in the room that we need, we're going to
23	move to Item 4, which is the Ordinary Disability
24	application for Firefighter Yll Kacija, EMT

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1
     Firefighter, Engine 32.
 2
               Firefighter Kacija, the Fund's attorney
 3
     Vince Pinelli is going to be conducting this
     hearing and we'll just move from there. Vince.
 4
 5
               MR. PINELLI: Okay. Thank you, Mr.
     Secretary. Good morning, Mr. Kacija.
 6
 7
               As you have been told, I am the attorney
     for the Fund that will be conducting this hearing.
8
               For the record, I'd like to advise you of
 9
10
     some preliminary matters before we start evidence.
11
               First of all, there are seven trustees
     currently in the meeting to hear the evidence on
12
     your application. You should know if you don't
13
14
     know already that it would take the yes vote of
15
     least five of those seven trustees in order to
16
     receive this benefit pursuant to the Pension Code.
17
     Do you understand that?
18
               MR. KACIJA: Yes, I do.
               MR. PINELLI: In addition, you are
19
20
     proceeding without an attorney today. Is it your
     desire to proceed without an attorney?
21
               MR. KACIJA: Yes.
22
23
               MR. PINELLI: And, lastly, it is the
24
     applicant's burden of proof to present sufficient
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1 evidence to the Board in order for the Board to 2 grant the benefit that the applicant is seeking. 3 Do you understand it is your burden of proof? MR. KACIJA: Yes. 4 5 MR. PINELLI: By way of procedures, I am 6 going to start by asking you some questions under 7 oath. The board members may or may not have questions of you. Then I will call the Fund's 8 9 physician consultant Doctor Peters to testify. Ιf 10 there is anything I don't ask him that you think is 11 important for the Board to know, let me know and 12 you will be given that opportunity. Do you 13 understand the procedures? 14 MR. KACIJA: Yes. 15 MR. PINELLI: Then we are ready to 16 proceed. Mr. Kacija and Doctor Peters, please, 17 raise your right hands. 18 (Witness sworn.) YLL KACIJA 19 a witness herein, having been first duly sworn, was 20 21 examined and testified as follows: 22 EXAMINATION 23 BY MR. PINELLI: 24 Could you please state and spell your Q

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1
     first and last name for the record?
2
               Yll, Y-1-1, Kacija, K-a-c-i-j-a.
           Α
 3
               What is your rank with the Fire
           Q
     Department?
 4
 5
           Α
               Firefighter EMT.
               What was your last assignment before you
 6
           Q
 7
     went on layup?
8
               Engine 32.
           Α
9
               Sir, you should have been provided with a
           Q
10
     group of exhibits from the staff that have been
11
     marked as Board Exhibits 1 through 12 prior to
12
     today's hearings. Did you get those exhibits?
13
               Yes.
           Α
14
               Did you have an opportunity to review
15
     them?
16
           Α
               I did.
17
               Do you have any objection to their
18
     admission into the record in support of your
     application?
19
20
           Α
               No.
21
               MR. PINELLI: Thank you.
22
               Mr. Chairman, I move for admission of
23
     Board Exhibits 1 through 12, without objection from
24
     the applicant.
```

1	CHAIRMAN FORTUNA: Admitted without
2	objection.
3	MR. PINELLI: Thank you.
4	(Board Exhibits 1 through 12
5	were admitted into evidence.)
6	BY MR. PINELLI:
7	Q Now, sir, you entered service with the
8	Fire Department in what year?
9	A 2013.
10	Q Approximately how many years of service
11	have you completed to-date?
12	A About seven.
13	Q You are applying for this disability
14	benefit based upon a medical condition that you are
15	currently experiencing; is that correct?
16	A Yes.
17	Q Just briefly describe for the board
18	members what that condition is and what you are
19	currently experiencing with respect to that.
20	A Just acute lower back pain. A lot of
21	shooting, burning and stinging pains kind of
22	starting at the lower back going down the butt and
23	causing a lot of burning and stinging in the legs.
24	A lot of weakness and pain going down there

1 throughout the day. 2 Sir, this condition that you experience Q 3 did you experience the condition as a result of activities while you were on-duty or did you 4 5 experience it while you were off-duty? I did experience it off-duty. I had some 6 Α 7 chronic conditions but when I laid up off-duty it 8 kind of went into acute pain and never really --9 you know, I was never really able to alleviate that 10 so I have been experiencing acute pain since my 11 layup. 12 Are you currently under treatment by a 13 physician for your back condition? 14 No, I am not. I am just doing self-Α 15 exercises and just conservative treatment. 16 Ibuprofen. Anti-inflammatories. 17 Q Okay. Since you went on layup have you 18 engaged in any activity by which you earn income or money? 19 20 Α No. No. 21 Have you engaged in any sporting Q activities? 22 23 Α No. 24 MR. PINELLI: Thank you, sir. That is

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1
     all the questions I have of you at this time.
2
               MR. KACIJA:
                             Thank you.
 3
                CHAIRMAN FORTUNA:
                                   Trustees, any
     questions?
 4
 5
               No questions.
               MR. PINELLI: I would call Doctor Peters
 6
7
     to testify.
8
                         (Witness previously sworn.)
9
                    MICHAEL I. PETERS, M.D.
     a witness herein, having been first duly sworn, was
10
     examined and testified as follows:
11
12
                           EXAMINATION
13
                        BY MR. PINELLI:
14
           Q
                Sir please state your name.
15
           Α
               Michael I. Peters.
16
               You're a physician; is that correct?
17
           Α
               Yes.
18
                Is a copy of your qualifications as a
           Q
     physician attached to the Board Exhibits?
19
20
           Α
                Yes.
21
               Do you perform a function as a consultant
     to this fund?
22
23
           Α
                Yes, I do.
24
                In that capacity do you review medical
           Q
```

records, examine and/or interview applicants and report to the Board?

A Yes.

Q Did you follow that procedure with respect to this applicant?

A Yes, I did.

Q And did you file a written report with the Board that is marked as Board Exhibit Number 2?

A Yes.

Q Doctor, could you briefly summarize for us what the applicant's condition is at the current time?

A Yes, I can. Mr. Kacija first presented for evaluation of ongoing lower back pain in August of 2019. He had a MRI that showed that he had diffuse disc disease primarily in the L-4/5 area where he had posterior lateral protrusion. He underwent an EMG to look for nerve impingements and that was negative. He had physical therapy without improvement. He had an epidural steroid injection in the spine, which did not help him at all, and he had two radiofrequency nerve ablations in the L-4/5 area bilaterally that did not improve his symptoms.

At the time of my phone interview with

him, he reported that he was having nearly constant symptoms related to the chronic low back pain with burning and tightness going into his buttocks and down his legs. Especially with any prolonged position and in any one position so prolonged standing or sitting. He would tend to have to move around otherwise his symptoms would get severe.

Q Doctor, did you interview the applicant?

A I interviewed him by telephone due to the COVID-19 pandemic.

Q Did the information that he provided you regarding his history and his treatment and his current condition was it consistent with the medical records that you have reviewed in this matter?

A Yes, it was.

Q Doctor, was there also an indication in the records that the doctors who have examined and treated him are not recommending any surgical procedure as an option for him to engage in?

A That's correct. The pain specialist he had most recently been evaluated by, which I think as I recall was a telemedicine interview, concluded it was likely myofascial in its cause and did not

1 advise surgery. 2 Based upon the symptoms he's currently Q 3 experiencing, would he be able to perform his duties with the Fire Department? 4 5 Α The symptoms he's describing would make it hard for him to do his duties, full-time duties, 6 7 as a firefighter. 8 MR. PINELLI: Thank you, doctor, that is 9 all the questions I have at this time. 10 CHAIRMAN FORTUNA: Trustees, any 11 questions for the doctor? 12 MEMBER CONYEARS-ERVIN: I have one 13 question, doctor. I am trying to understand this. 14 You said there was no form of treatment? I am not 15 saying those were your exact words. I am trying to 16 understand the form of treatment. 17 DOCTOR PETERS: Yes, that is a good 18 question. His specialists had not advised surgical treatment for this pain is what I mean to say. 19 20 He's already exhausted at least the interventional 21 conservative treatments like steroid injection and 22 nerve ablation have already been performed on him.

MEMBER CONYEARS-ERVIN: And so I am just

wondering so how long does this continue?

23

24

could go on. I don't really understand this. I am
just trying to wrap my mind around it. So it is
oral medication and is there any thoughts on when
he may be well? Is it possible to be well from
this?

DOCTOR PETERS: I don't think there is a
definite cause or etiology determined for why he

definite cause or etiology determined for why he has his symptoms. The MRI findings -- while MRI finding don't always correlate well with the symptoms people have. In other words, you could have significant findings and have minimal symptoms. You can have almost no findings and have terrible radicular symptoms.

His MRI and EMG don't support a nerve impingement cause. In addition to that, he had an ablation which didn't improve him at all. So his pain specialist concluded this was likely myofascial, meaning a muscular problem perhaps impinging on a peripheral nerve.

The answer to your question is he could get better with the right kind of therapy but it's hard to predict whether that would actually happen.

MEMBER CONYEARS-ERVIN: Is he in therapy?

DOCTOR PETERS: He's not in formal

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1
     therapy at present. I think he said he was doing
2
     home exercises.
 3
               MEMBER CONYEARS-ERVIN: Is it possible
     for us to go into executive session? How do I a
 4
     motion? What do I say, Mary Pat?
5
               MEMBER TRUSTEE: I will make a motion to
 6
7
     move to executive session.
8
               MR. PINELLI: Pursuant to Section 2(c)4
9
     of the Open Meetings Act. So you need a motion and
10
     second.
11
               MEMBER MARTIN: I will make that
     motion.
12
13
               MEMBER CONYEARS-ERVIN: Second.
14
               CHAIRMAN FORTUNA: There's a motion by
15
     Trustee Martin. Seconded by Conyears-Ervin.
16
               Trustee Martin.
17
               MEMBER MARTIN: Yes.
18
               CHAIRMAN FORTUNA: Trustee Soni.
19
               MEMBER SONI: Yes.
20
               CHAIRMAN FORTUNA: Trustee
21
     Conyears-Ervin.
22
               MEMBER CONYEARS-ERVIN: Yes.
23
               CHAIRMAN FORTUNA: Trustee McPhillips.
               MEMBER McPHILLIPS: Yes.
24
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1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	(Whereupon, the Board went into
7	executive session off the record.
8	No action was taken in Executive
9	Session.)
10	MEMBER MARTIN: Mr. President, now that
11	we are out of executive session, I will make a
12	motion to grant.
13	MEMBER McPHILLIPS: Second.
14	Motion to grant by Trustee Martin.
15	Seconded by Trustee McPhillips.
16	Trustee Martin.
17	MEMBER MARTIN: Yes.
18	CHAIRMAN FORTUNA: Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee
21	Conyears-Ervin.
22	MEMBER CONYEARS-ERVIN: Yes.
23	CHAIRMAN FORTUNA: Trustee McPhillips.
24	MEMBER McPHILLIPS: Yes.

1	CHAIRMAN FORTUNA: Trustee Murphy.
2	MEMBER MURPHY: Yes.
3	CHAIRMAN FORTUNA: Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: And I am a yes.
6	MEMBER MARTIN: I'd like to make a motion
7	for reexam consistent with the Fund's reexamination
8	policy.
9	MEMBER CONYEARS-ERVIN: Second.
10	CHAIRMAN FORTUNA: There is a motion for
11	reexam. Seconded by Trustee Conyears-Ervin.
12	Trustee Martin.
13	MEMBER MARTIN: Yes.
14	CHAIRMAN FORTUNA: Trustee Soni.
15	MEMBER SONI: Yes.
16	CHAIRMAN FORTUNA: Trustee
17	Conyears-Ervin.
18	MEMBER CONYEARS-ERVIN: Yes.
19	CHAIRMAN FORTUNA: Trustee McPhillips.
20	MEMBER McPHILLIPS: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	MEMBER MARTIN: Mr. President, I'd like
3	to make a motion to accept the Finding of Fact as
4	presented by Fund's counsel.
5	MEMBER SONI: Second.
6	CHAIRMAN FORTUNA: There's a motion by
7	Trustee Martin to accept the Findings of Fact.
8	Seconded by Trustee Soni.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: Trustee Valencia.
21	MEMBER VALENCIA: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	Mr. Kacija, based on the evidence we have
24	heard and considered, the Trustees have voted to

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1
     grant the benefit that you have requested.
2
               You will notified by mail of the Findings
 3
     of Fact and the Board's decision.
               Thank you, very much, and good luck.
 4
 5
               MR. KACIJA: Thank you.
               MEMBER MARTIN: Mr. President, I am going
 6
 7
     to ask what your preference is. We have three
8
     items left. We have Investment, Legal and the
     election item.
 9
10
               Do you want to go on to Legal and give
11
     Mary Pat the opportunity to provide that update
     before we move to Investments, which may be more
12
13
     involved?
14
               CHAIRMAN FORTUNA: We will do that.
15
     Thank you.
               MS. BURNS: It will be quick.
16
17
     no legal update.
18
               MEMBER MARTIN: Motion to accept.
               MEMBER SONI: Second.
19
               CHAIRMAN FORTUNA: Motion to accept by
20
     Trustee Martin. Seconded by Trustee Soni. All
21
     those in favor?
22
23
                    (Chorus of ayes.)
24
               CHAIRMAN FORTUNA: Thank you, Mary Pat.
```

MEMBER MARTIN: Mr. President, we can do
this election one pretty quick, which is a
consideration of possible action regarding the
Election Blind Mailing Policy. I think Steve has
presented that to everybody.

MS. BURNS: Maybe for the record I can state that as everybody probably knows, if they have looked at their emails, there are three candidates for the open election that is scheduled to take place later this month. Of the three candidates, Steve reached out to them and asked them all if they wanted to make a candidate statement.

As you know from your election rules that you adopted previously, the rules provide that any distribution or communication has to be sent pursuant to the Blind Mailing Policy. We have received one such request, that request was posted on board portal. Consistent with the election rules, we would need a motion to approve the Blind Mailing Policy consistent with the election rules for 2020.

MEMBER MURPHY: So move.

MEMBER VALENCIA: Second.

İ	
1	CHAIRMAN FORTUNA: Motion by Trustee
2	Murphy. Seconded by Trustee Valencia.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Holt.
13	MEMBER NANCE-HOLT: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Valencia.
17	MEMBER VALENCIA: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	Motion carries.
20	MS. BURNS: Thank you.
21	MEMBER MARTIN: Thank you, Mary Pat.
22	We can move on to the Investment section
23	now with Lorna. Lorna, it is all yours.
24	MS. SCOTT: The first item is the

1 investment report for September.

So let's just start with an update on where we stand with our new investments. There is only one outstanding and that is Highclere and their contracts are still pending.

Moving on to the next slide, which is performance. This slide shows the one month performance for August for various asset classes.

It was another very strong month for investors. U.S. equities dominated. The broad market is up 7. 2 percent. Within U.S. equities, it was clearly U.S. growth stocks that were a winner and they were up 10.1 percent. They outperformed value stocks which were up 4.2. Large cap up 7.3 which is up.

The next slide looks at the same asset classes for the year-to-date period. So year-to-date through August, the broad U.S. equity markets are showing strong performance up 9.4 percent and that is primarily driven by growth stocks which are up 28.9 percent. This outperformance of growth over value is truly outstanding.

We are also seeing big performance

1 differences between large cap which is up 10.4 and 2 small cap which is down 5.5. 3 We do, in the Fund, have investment in growth but the Fund has a value in small cap built 4 5 into it. These tilts are contracting versus the benchmark. We can see that on the next slide. 6 7 The next slide shows performance of the Fund versus the policy target. For the month the 8 9 Fund is up 3 percent but it is behind the policy 10 target which was up 3.8. Year-to-date the Fund is 11 positive, it's up 0.5 percent. It has recovered 12 its losses but it is still behind the policy which 13 was up 3.5 percent. 14 MEMBER CONYEARS-ERVIN: Is the policy 15 target the same as your benchmark? 16 MS. SCOTT: Yes, that is exactly what it 17 is. The target is the benchmark. 18 MEMBER CONYEARS-ERVIN: So this is if we would have invested in the index? 19 MS. SCOTT: Correct. 20 21 MEMBER CONYEARS-ERVIN: Okay. So I was looking at this yesterday, Lorna, and I don't -- I

looking at this yesterday, Lorna, and I don't -- I
was trying to pull up last month's chart and the
month before that and I was thinking are we always

1 behind the benchmark like this? 2 MEMBER MARTIN: No. 3 MEMBER CONYEARS-ERVIN: I didn't think we were but on this chart I know that it is rolling. 4 5 I just wanted us to have a little conversation about that. 6 7 MS. SCOTT: We were above the benchmark 8 last month. 9 MEMBER CONYEARS-ERVIN: That is what I 10 thought. 11 MS. SCOTT: This month you can see we 12 fell versus the benchmark .8 percent behind, that 13 is what pulled our year-to-date numbers even further apart. 14 15 Again, we are not always under the 16 benchmark. This year is an exception, truly an 17 exception, and it goes back to that growth versus 18 value tilt. I showed you on that first chart the 19 20 growth stocks are really dominating. As long as we 21 have that value tilt in there, it is going to be 22 very hard to overcome and get to those growth 23 numbers and the value of small cap tilt over the 24 long-term outperformed. Keep in mind, this is a

1 short-term measurement period that we are looking 2 at with this year-to-date and this one year number. 3 We are measuring over ten years. Look at that ten year number, Madam Treasurer. We are 4 ahead of the benchmark there. 5 MEMBER CONYEARS-ERVIN: But the three and 6 7 five years. MS. SCOTT: So those are being weighed 8 9 down by that large underperformance in the one 10 year. 11 MEMBER CONYEARS-ERVIN: I noticed there 12 was another slide that -- I will take a look. 13 thought that the 9.6 and 9 percent was different 14 for ten years on another slide. I will see once we 15 go forward just to verify. 16 MS. SCOTT: Okay. So the next slide 17 break downs the underperformance a little bit more. 18 So this slide is designed to try and explain why we are underperforming. 19 20 For the month and the year-to-date most 21 of that underperformance is coming from that middle 22 column, the managers selection and execution. 23 includes the use of active managers and it includes

the style tilt that we built into the portfolio.

24

Looking at this chart year-to-date, we are underperforming about 3 percent. We have different weights than the benchmark, that is the asset allocation column, costing us about 60 basis points. Whereas, active management and style tilt costs 2.5 percent.

The next slide provides a little more detail on that. So the year-to-date the Fund is up 0.5 percent and we can see that in column three versus the policy target or the benchmark which is in column four.

Let's take a few minutes to compare these two columns. The Fund's biggest weights are U.S. equity, global ex-U.S. and fixed income. These allocations were primarily driving the performance for the Fund as a whole.

Looking at year-to-date, the Fund's managers, U.S. equity managers, returned 5.6 percent. That is a pretty solid return but it is underperforming the benchmark which was up 9.4.

Again, most of this underperformance within U.S. equities was due to that value bias which we have mentioned before and a reminder that value is really underperforming the broader market.

Looking at global ex-U.S., the Fund's managers are down 4.7 percent versus the policy which is down about 2.9 percent.

Again, this underperformance is primarily due to two value managers, Brandes and LSV, whose value tilts aren't performing in this market.

In fixed income, the Fund's managers are up 5.9 percent. Again, a nice solid return but it is behind the policy which is up 6.85.

Again, so this one is primarily due to

Loomis' Core Plus portfolio, which is

underperforming, but it has actually come a long

way in the last couple of months so there is still

room for it to catch up.

Looking further down these columns, we can see public real estate. Our managers are down 10.4 percent and the policy is down 17. So our active manager selection of Principle, Principle is delivering better than benchmark returns so that is where active management is truly showing that it is helping.

Looking at the bottom of that column, we see liquid diversifying and that is down 16.4 percent. This is truly the worse performing asset

class for us. I would say this performance has been very, very disappointing.

A reminder we have two managers in this category. Both of these managers have been with us for less than a year so it is a very, very short time period.

One of those managers is William Blair and they have a macro allocation fund so they are taking investments from a top down perspective.

Year-to-date that fund is down 6 percent.

The second manager that is causing a lot more problems for us is BlackRock. If you recall, they run a risk controlled long/short portfolio, that is investing across all the asset classes and they focus on specific characteristics versus specific factors that over the long-term have been known to outperform but that portfolio is down about 26 percent.

Callan and I have both had conversations with BlackRock to try and understand what is going on here.

This portfolio hasn't been positioned towards growth so it has missed out on this year's rally. The risk control that was supposed to

1 | protect it on the downside didn't seem to be there.

The plan really is to watch both of these managers, particularly BlackRock, as we anticipate that there will be more volatility going into year-end and just seeing how these portfolios do against the volatility.

Maybe we can invite those managers in to present to the Board and review the year as a whole early next year. Brady, do you want to weigh in on this?

MR. O'CONNELL: Thank you, Lorna.

Just a couple of quick comments to reinforce some of the points that Lorna made.

First and foremost, we have been disappointed in how BlackRock has performed but also the risk primia type of approach that they implement so the strategy hasn't worked like we expected and the manager hasn't worked.

It is a very short period of time so as Lorna mentioned we would like to see how they do through the end of year.

We have been monitoring BlackRock. We had a call with their team last week and I think

Lorna is monitoring this portfolio on a daily basis

and when there is underperformance she's in touch
with both me and BlackRock.

And while it is disappointing to have a manager that is so new to the program experience this sort of underperformance, it is not totally unprecedented.

So some of the board members may recall the hiring of Brown Advisory as a large cap growth manager. For three years they underperformed their benchmark, we placed them on watch and remained patient with the manager and their three year number is now 27 percent relative to a benchmark of 24 percent. So they were able to rebound and outperform but it is very difficult when a manager in a strategy is new to have that patience.

So we recommend the Board try to adopt that patience and allow Lorna and I to monitor this over the short-term and report back around the year-end.

MEMBER CONYEARS-ERVIN: How long do we normally wait before we put someone on a watchlist considering they are so new?

MEMBER MARTIN: I guess I could speak to that. We don't rush to put people on watchlist.

We try to wait three to six months after we identify an issue, I think that has been my experience, unless counsel and our investment staff sees something material structurally, but it is something that we don't rush to do. When we put somebody on watch, we also try to be patient. It is not a rush process.

MR. O'CONNELL: Just from our perspective, the watchlist tends to serve more as a tool for fiduciaries to show that you are engaging in due diligence and oversight of these firms.

The managers don't like to be on the watchlist, but it is not like they start trying harder once they have been informed of that. So there is no magic number in terms of the period of time but patience in general with these hiring and firing decisions will reward the Fund over the long-term. But decisions like this and performance like this so soon in a relationship really challenges us as investors to try to maintain that long-term perspective.

We would like to keep a close eye on them and then maybe consider the formal watchlist addition at a later point, but I mean effectively

- they are on watch right now. Lorna's watch and
 Callan's watch.
- MEMBER MARTIN: Does anyone have any issues with it? Okay. Next.

MS. SCOTT: Moving on to the next slide, the next slide shows our MWDBE allocations. With the funding of Brown Capital at the beginning of August, our MWDBE allocation moved from about 18 and a half percent to 22 percent.

The rest of these slides I will leave for your review, it is mainly data, and we can move on to the cash needs.

MS. VLAHOS: As of September 11th, we had with the Treasurer's office, which is your Fidelity account as well as our Chase checking account, we had a balance of approximately 24.5 million dollars.

The next line is basically identifying that as you recall last month after we received our tax receipts we had after benefits were made approximately 55 million dollars in I think excess funds.

So after discussing with Lorna, we transferred 25 million dollars to Northern Trust to

see if we can get a little higher of a return on the money until we need it, that is bringing our balance to 49.6 million dollars.

We anticipate an additional employee contribution before the end of the month bringing our available cash balance to 51.3 million dollars.

This month, just like last month, we are anticipating around 30 million dollars in benefit payments after our Death Benefits, Refunds, bringing our total expenditures this month to 31.5 million dollars. After benefits, our remaining balance between the Chase checking, the Fidelity and the money we transferred to Northern, our cash balance would be the 19.7 million dollars.

We can go to the next slide. The next slide reflects our cash flows. As you can see we will have the 49.5 million dollars for the combination of the 25 million dollars from Northern Trust as well as the Chase checking balance of 49.5 million dollars.

I want to draw your attention over to the average cash tax receipts, which is we are reflecting 20.2 million dollars. This is obviously just an estimate. We have actually collected

approximately I think it is 216.5 million dollars
we have collected so far. Leaving us with an
approximate balance of 28.5 million dollars. This
is just to reflect more of an accurate account of
how the cash flows come in.

Basically, this 22 is what we anticipate to receive by the end of the year. We usually have one reconciling item payment that usually happens around February after the City does I believe a reconciliation. For example, last year we got a payment of almost 10 million dollars after the year-end when they reconcile to see what remaining balance is up.

I don't know if Reshma can talk any more on that.

MEMBER SONI: As Jackie is mentioning, we usually look at the beginning of the year, around the February timeframe, to see what has been levied versus what we have actually collected and then there is a differential that we payout, that was budgeted in 2020 and we're planning to budget the same for 2021.

MS. VLAHOS: Okay. That is just to kind to draw your attention, the actual balance with tax

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1
     receipts is 28.5 but we're just reflecting the
2
     20.20 because that is just what we think we're
 3
     going to receive by the year-end.
               MEMBER SONI: Jackie, sorry I don't have
 4
 5
     the papers with me, overall what was the tax levy?
               MS. VLAHOS: 245 million and we have
 6
7
     received approximately 216.5 so far.
8
               MEMBER MCPHILLIPS: 215?
9
               MS. VLAHOS: 216.5.
10
               MEMBER SONI: One thing that we are
11
     waiting for is to figure out what are the next
12
     dates of tax receipts from the County. We haven't
13
     gotten the list yet. When we get that list,
14
     Jackie, I will share it with you.
15
               MS. VLAHOS: Would it be next week or the
16
     next couple of weeks?
17
               MEMBER SONI: We have no idea at this
18
     point. We know for sure that, because October 1st
     was the 60 day grace period, we will see some tax
19
     collection probably, this is what we anticipate, by
20
21
     the end of the month.
22
               So I think the way you have depicted it
23
     will work well but we don't know when those
24
     distributions will happen. We have asked for a new
```

1 | tax schedule.

MS. VLAHOS: Perfect. Does anyone have any questions?

MS. SCOTT: Moving to the rebalancing template. So this first column shows our allocation as of September 11th. At the very bottom of the column, we have 26.9 million cash at Northern Trust.

At this point, assuming no new inflow of tax receipts prior to month end, we will transfer about 6 million dollars from Northern to Chase to cover the monthly benefit payments and that will leave us with 20.9 million dollars of cash at Northern, which we will probably use for October benefit payments.

Looking at a quick review of the asset allocation. Looking at that last column, which shows the variance, it shows the difference between where we are actually versus our target.

Looking at that variance column, you can see we remain very, very close to target. We are underweight in private equity. I am expecting to start seeing capital calls in our new private equity investments before the end of the year.

1 We do at this point have a small 2 overweight in cash but that is going to be 3 temporary because that money is going to be used for benefit payments. Generally, we are very close 4 5 to target is the takeaway. 6 Now, Brady, do you want to go to the next 7 item which is the watchlist? MR. O'CONNELL: We are recommending that 8 9 Globeflex international small cap watchlist period 10 be extended. So they have been on for a period of 11 time as we conducted a search and we are 12 recommending the Board extend that while we wrap up 13 the work related to that earlier review of 14 structure. 15 MS. BURNS: Brady, could you articulate 16 for the Trustees exactly how long Globeflex has 17 been on already and what period of time that you 18 are recommending that they stay on watch or be extended on watch? 19 20 MR. O'CONNELL: So I do believe it was a 21 six month time period. Lorna, is that your recollection? 22 23 MS. SCOTT: I believe that's correct, 24 too.

1 MR. O'CONNELL: And, technically, we 2 could recommend a six month time horizon, but we do 3 not anticipate them being on for that long. this extension is really related to some of the 4 5 other changes that we are making to the portfolio. 6 MS. BURNS: Trustee Conyears-Ervin, to 7 your point earlier, trustees need to be concerned about how long managers are on watch. This seems 8 9 prudent and it's based so the recommendation of 10 your CIO and your investment consultant. So you, 11 as a fiduciary, should feel comfortable that the 12 recommendation is within the range of what you as 13 trustees can rely on as being prudent. 14 MEMBER MARTIN: Would you like me to make 15 a motion then to extend the watchlist period for 16 Globeflex consistent with the direction of the CIO 17 and the Fund consultants? 18 MS. BURNS: Yes. CHAIRMAN FORTUNA: 19 Motion by Trustee Is there a second? 20 Martin. 21 MEMBER CONYEARS-ERVIN: Second. 22 CHAIRMAN FORTUNA: Second by Trustee 23 Conyears-Ervin. 24 Trustee Martin.

1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee Soni.
3	MEMBER SONI: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MR. O'CONNELL: May I make one quick
16	followup to an earlier question, please?
17	CHAIRMAN FORTUNA: Certainly.
18	MR. O'CONNELL: So a question came up
19	earlier about the duration of that training session
20	the trustees had been made aware of so that is
21	indeed one hour long. But I did want to make you
22	aware that you can participate in those live but
23	there is also a library of on demand webinars that
24	you can listen to whenever you like. Those are the

1 on the Callan website.

We can forward a link to that for the trustees so that you can see what other sessions are available and spend as much as time on that as you want when it is convenient to you. So I will send that to Steve and Lorna and we'll pass that along.

If you have any problems registering at the website or finding those training opportunities, please just let me know and I will help fix that.

MEMBER CONYEARS-ERVIN: In a year like this with no travel, I mean one class for eight hours, okay?

MS. BURNS: One of the things we have to do is we have to do some sexual harassment training that we talked about. We will start building that into the October, November and December meetings, different things we can talk about, to give you some of that training, Trustee Conyears-Ervin, to get you your eight hours.

 $\ensuremath{\mathtt{MS}}$. SCOTT: That concludes the Investment Report.

MEMBER MARTIN: Motion to accept the

1	Investment Report and the recommendations
2	therein.
3	MEMBER SONI: Second.
4	CHAIRMAN FORTUNA: There's a motion to
5	accept by Trustee Martin. Second by Trustee Soni.
6	Trustee Martin.
7	MEMBER MARTIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee
11	Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER McPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Murphy.
16	MEMBER MURPHY: Yes.
17	CHAIRMAN FORTUNA: Trustee Valencia.
18	MEMBER VALENCIA: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	Motion carries. Thank you.
21	MEMBER MARTIN: Mr. President, it looks
22	like tomorrow I should be able to get back to work
23	and given that I'd like to make a motion to adjourn
24	so I can get ready.

1		MEMBER CONYEARS-ERVIN: Second.
2		CHAIRMAN FORTUNA: Motion to adjourn.
3		All in favor?
4		(Chorus of ayes.)
5		CHAIRMAN FORTUNA: Thank you, very
6	much.	
7		
8		
9		(WHICH WERE ALL THE PROCEEDINGS
10		IN THE ABOVE-ENTITLED MEETING
11		AT THIS DATE AND TIME.)
12		
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
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5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
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18	License No. 084-001078
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1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1079)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the meeting of the above-entitled matter, held at
12	20 South Clark Street, Suite 300, in the City of
13	Chicago, County of Cook, State of Illinois, on
14	Friday, October 23, 2020, commencing at the hour of
15	8:30 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

APPEARANCES
BOARD MEMBERS:
DANIEL FORTUNA, President and
Annuitant Trustee
ANTHONY MARTIN, Secretary and Active Trustee
WILLIAM MURPHY, Active Trustee
TIMOTHY McPHILLIPS, Active Trustee
MELISSA CONYEARS-ERVIN, City Treasurer
ANNA VALENCIA, City Clerk
RESHMA SONI, City Comptroller
ANNETTE NANCE-HOLT, Active Trustee
ATTORNEYS FOR THE BOARD:
BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS
MR. VINCENT PINELLI
ALSO PRESENT:
LORI LUND, Deputy Director
STEVEN R. SWANSON, Executive Director LORNA SCOTT, Chief Investment Officer
JACLYN VLAHOS, Comptroller MARC TORRES, IT Analyst
MARK MYSLINSKI, City Treasurer's Office DANIEL G. SAMO, M.D., Board Physician

1	MEMBER MARTIN: Trustee Conyears-Ervin
2	MEMBER CONYEARS-ERVIN: Good morning.
3	Here.
4	MEMBER MARTIN: Trustee Soni.
5	MEMBER SONI: Good morning. I am here.
6	MEMBER MARTIN: Trustee Holt.
7	MEMBER NANCE-HOLT: Good morning.
8	Present.
9	MEMBER MARTIN: Trustee Valencia.
10	MEMBER VALENCIA: Good morning. I am
11	here.
12	MEMBER MARTIN: Trustee McPhillips.
13	MEMBER MCPHILLIPS: Good morning.
14	MEMBER MARTIN: Trustee Murphy.
15	MEMBER MURPHY: Present.
16	MEMBER MARTIN: Trustee Fortuna.
17	CHAIRMAN FORTUNA: Here.
18	MEMBER MARTIN: Trustee Martin. I am
19	here.
20	Mr. President, do you want to take it
21	from here?
22	CHAIRMAN FORTUNA: Thank you, Secretary
23	Martin.
24	Public Act 101-0640 allows this meeting

to be conducted by video/audio conference. The Act requires a roll call vote be taken on each matter acted upon. I ask that Trustees be prepared to unmute their microphones and clearly respond to the roll call vote on each matter that we consider for approval.

Further, consistent with Public Act 101-0640, I note for the record I am physically present at the Fund's office as is the Executive Director. We are proceeding by video and audio conference because we continue to believe that due to the pandemic it is prudent to not all be physically present in the same space. 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 to the public on the Fund's website.

Before we move into business this morning, it has come to my attention -- and I want to address the trustees and I would like everybody to understand something. We have to respect one another and abide by our Fund policies.

It has come to my attention that once

again one of our trustees has failed to comply with the Communication Policy. Specifically, the trustee published a letter relating to the current trustee election, which a trustee did more than express a personal opinion and instead made inappropriate statements about the fellow trustees, their attendance at meetings and how they vote on matters before the Board. Said statements, none of which are accurate, are inappropriate and very harmful to this board.

We are required to do the work that we are appointed and elected to do. I want to advise each and every trustee that we, as a board, expect each other to follow the rules and the policies of this fund.

Now, this is not new, for those of you who are new on the board, we have discussed this before. At our July board meeting, 2019, when we discussed a prior issue involving the Communication Policy, it was agreed that any further communication involving or referencing the Fund, the speaker would make it clear in any such representation of the speaker it would be his own opinion and not the opinion of the board, that a

trustee would not sign as trustee as this Pension

Fund. Despite this agreement, the current

statement by one of our trustees has once again

violated those agreements.

Now, we need to do better and we have to put our personal interests aside and respect this board. So that's all I have. Does anybody else have any comments?

MEMBER NANCE-HOLT: Yes, actually, I have a comment. So I understand that this particular trustee wants the support of the rank and file in the election. However, I thought we had an understanding about how we would respect each other and treat each other.

I am actually appalled that this person mentioned City Trustees that didn't show up to the Pension Board meetings. Now just know, besides being on the Pension Board, City Trustees have other things they have to do as well and sometimes they conflict with the schedule so you shouldn't judge people if you don't know the truth.

The other thing is talking about people voting against legitimate disabilities. Legitimate in your mind or their mind, they hear the facts in

the cases as they are presented and they vote on them so that is very slanderous to allege or just to have allegations about City officials. I mean, you need to correct your thoughts. You really do because you are barking up the wrong tree right now.

I tried to say back off a little bit and we talked about this and I thought we had an understanding. So, if not, we will find out how to make you understand. You can't do that, that's not approved. You really can't.

MEMBER VALENCIA: Yes, Chairman Fortuna,
I also find it extremely offensive. I felt like
that was an attack on the City trustees who work
very hard in City positions, especially during a
pandemic and I also felt it was very offensive as a
woman. The board meetings that I have missed is
because of my maternity leave. I found in the
policy that I had to take it as part of my
maternity leave, that the president of the Board
was okay with that.

But I just found it very offensive for all of us. We work really hard every single day to do both jobs, to wear both hats. If we are going

be exclusive as a board and support one another and make sure that we are a diverse board, which is what we all want, we have to understand there are many factors to all of this.

I also don't like to waste our time or the taxpayer's dollars having these conversations over and over again.

I know Trustee Holt and I have been on this board and we have had to stop in the middle of board meetings and have these conversations and there is no place for taxpayer's dollars to do this.

I feel like we are all grown adults and we all should respect one another. I hope this is the last time that we have to take time from our real jobs to talk about this. I just hope that this can be learned to work with others and we stop this foolishness.

I also think for all of us City trustees that this trustee owes all of us an apology for what you put out publicly because it is slanderous and tilted and it went out to a lot of distributions and I think that is unfair. We had no way to respond to these allegations.

1 MEMBER MCPHILLIPS: Anyone else?

household.

MEMBER CONYEARS-ERVIN: Good morning. I

will just say that one of the best parts of my role

as City Treasurer is to sit on all four of the

employee pension funds and I take great pride in

that and it is because I come from an union

I know, I truly know, what it means to fight for employee's rights. I know that. I understand that. There are so many big issues that we as a board need to address and what I don't want is for us to lose focus.

And so, actually, the Fire Pension Fund I enjoy being on it with all of the members of the firefighters and medics. You all do a phenomenal job in putting your lives on the line for citizens of Chicago every day. I want you to know that I appreciate that and so I just want us to just stay focused.

I hope that the intention of the letter was not to offend. I will tell you when I saw the letter I was offended as Clerk Valencia mentioned and I probably was more offended for her than myself. Although, I know that I spend a great

amount of time in these pension fund meetings when I certainly -- there is so much work that I could be doing just within my role as the City Treasurer within my office but I dedicate time to these pension funds because it's important that we protect the benefits of the beneficiaries and the annuitants.

And so I was more offended for Trustee

Valencia because I do know that she just had a

baby. I personally know how challenging that is

trying to balance it all being a City-wide elected

official, having a baby, still having to run your

office, still being a part of the pension funds.

And so, again, I just want to conclude, while it may not have been the intention, that certainly was offensive. We dedicate a great amount of time.

Comptroller Soni sits on two pension
meetings with me -- three pension fund meetings
with me. I mean, she is the Comptroller. She has
so much going on. It is Budget time. She's on the
phone right now.

So I just ask that we stay focused. I mean, elections are elections. It is what it is.

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1
     As they say, let the chips fall where they may but
2
     we don't have to attack each other. We have to
 3
     work together because we have such bigger issues.
     We have got to protect these benefits.
 4
 5
               Thank you, Mr. President.
               CHAIRMAN FORTUNA: Thank you.
 6
 7
     others?
               MEMBER SONI: Good morning.
8
                                             This is
9
     Trustee Soni.
10
               I completely agree with the sentiments
11
     that all three of my colleagues here have
     mentioned. I do find that we as a fund I think do
12
13
     a lot of good work and as Trustee Conyears-Ervin
14
     stated there's a lot more to do. We need to be
15
     focused.
16
               I think all of us have participated --
17
     and I do mean all members have participated as much
18
     as possible trying to understand the facts, trying
     to get educated on the facts. I appreciate all the
19
20
     feedback that we get and all of the history that we
     get from the other trustees who have been here for
21
22
     a longer time.
23
               But, yes, you know, we take this job very
```

seriously. If we didn't, we wouldn't be here,

24

right. I think that the understanding has to be there that we are all one team. We all have to work together to be able to achieve the greater good of what this fund wants to do and needs to do.

I did also find it offensive to suggest that we don't participate or we don't provide a legitimate response or vote legitimately on disability cases. I think all of us do our best to do the homework and ask questions.

And I have never heard in any discussion, whether in any of these meetings or outside, from any of the trustees, that they were appalled or they did not like any of the decisions that we made. I was truly surprised to see this come out. I am not sure exactly why this kind of sentiment came out. I understand the election but we all have to work fairly with each other.

The other thing that I wanted to mention,
I think both Trustee Valencia and Trustee
Conyears-Ervin said this as well, we are in the
middle of a pandemic. We do our best to protect
not only our own team and all of the citizens but
also the members of this fund. We want to make
sure that they are safe. We want to make sure that

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1
     they have everything that is available to them.
                                                       Wе
 2
     try to work with them because they are our own
 3
     people. We want to work with them. So we all have
     to understand that we are all on one team. We are
 4
 5
     not fighting against each other. We need to be
     able to be focused and be able to make sure that we
 6
 7
     are working in the fund's best interest. Thank
8
     you.
 9
               CHAIRMAN FORTUNA:
                                  Thank you.
                                              If there
     is no other comments, I'd like to move forward.
10
11
               MEMBER MCPHILLIPS: I'd like to comment.
12
               Bill, you haven't spoken. I wonder if
13
     you would like to speak. I would like to speak
14
     last, after the last trustee, if you want to speak.
15
     Trustee Murphy, do you have anything to say?
16
               MEMBER MURPHY: Well, I mean, I can talk
17
     to the City Trustees and say what was written is
18
     not an opinion of all members of the Chicago Fire
     Department. I can tell you that much.
19
               I think that we all have something in
20
     common where we all have been personally attacked
21
22
     in one way or another by someone.
                                        So that is
23
     really all I have to say.
```

MEMBER MARTIN: I guess I have got two

24

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1
     points.
              Number one, I really appreciate the work
     of staff and all the trustees during this pandemic.
2
 3
               Secondly, given ongoing litigation, I am
     going to respectfully decline to comment on any of
 4
     the allegations which I believe -- which are untrue
 5
     and are offensive. Thanks.
 6
 7
               CHAIRMAN FORTUNA:
                                  Thank you.
                                               Any other
     comments?
8
 9
               MEMBER MCPHILLIPS: Yes, I'd like to
10
     comment, if you don't mind. For the public record,
11
     this is Trustee McPhillips.
12
               The public may not know who the trustees
13
     were referring. I suspect they were referring to
14
     me, Trustee McPhillips, one of the active trustees.
15
               I sent out a letter. I don't recall
16
     mentioning Trustee Valencia's name at all.
     Apparently somebody felt that I had. But some of
17
18
     the things I addressed in there I think are very
     important. I addressed a felony theft.
19
     addressed trustee's fiduciary duties.
20
21
               And I disagree with the president's
22
     comments that my statement, he may not agree with
23
     those statements, but I believe they are accurate.
24
               Some trustees on this board were in a
```

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1
     meeting, executive meeting, where we discussed that
2
     felony theft and I think it is --
 3
               CHAIRMAN FORTUNA: Okay. Well, here, I
     just want to say this.
 4
 5
               MEMBER MCPHILLIPS: Let me --
               CHAIRMAN FORTUNA: You can do whatever
 6
 7
     you want.
               MEMBER MCPHILLIPS: Right.
8
9
               CHAIRMAN FORTUNA: You can write anything
10
     you want. You can't put "Trustee" at the bottom of
11
     your letter. You agreed to this last July. You
12
     can't sign these letters as a trustee of this
13
     board, that is it. It is very easy. You can say
14
     anything you want just don't bring this board into
15
     it. So, go ahead, finish.
               MEMBER MCPHILLIPS: So I was going to
16
17
     finish my statement before I was interrupted. Dan,
18
     I gave you an opportunity to speak.
               Yes, we did agree, I did agree, I would
19
20
     not sign it as a trustee and I did agree I wouldn't
     put it as a Pension Newsletter. I did change that.
21
22
     But to say that I violated the Communication Policy
23
     I think is completely inaccurate, Dan. Actually,
24
     we spent thousands of dollars to write a
```

1 Communication Policy and then this Board voted to 2 violate it and that was last year. I'm sorry, two 3 years ago. So, I mean, the record, I really think 4 5 you're misrepresenting it, and I think you are not doing a service to the appropriate administration 6 7 of this fund. 8 And I will say it again, in my 17 years 9 on this job, two City trustees have gone to jail. 10 So I mean don't make it this is all a big team 11 effort and everything. 12 We are short 5 billion dollars. We are 13 funded at 17 percent approximately. I don't want 14 to hear this political commercial of we are all in 15 this together kumbaya. 16 We were in dire, dire straits. We had a 17 felony theft. We had people not showing up to 18 work. We didn't even have a commercial accounting system that I had to push --19 MEMBER CONYEARS-ERVIN: Mr. McPhillips, 20 hold on. I am confused now. 21 22 MEMBER MCPHILLIPS: No. No.

MEMBER CONYEARS-ERVIN: Wait and I am going to let you finish.

1 MEMBER MCPHILLIPS: Go ahead.

14

15

16

17

18

19

20

21

22

23

2 MEMBER CONYEARS-ERVIN: So you are on 3 this call to defend what you put in the letter? You are not addressing -- we don't need you to 4 5 defend for us as trustees what was in the letter. 6 We are simply talking about the fact that we felt 7 offended. The fact that President Fortuna said you 8 signed as a trustee. Those are just two issues, 9 that is all we have spoken about. We don't need 10 you to defend why you said this and that. We don't 11 need that, that has nothing to do with this board 12 meeting right now, that is what I am saying about 13 staying focused.

It was about you signing as a trustee and we, as City officials, feeling as if we were offended. And, no, you did not mention Clerk Valencia but it was an allusion to it, that was the only thing that we're saying.

So you're going way somewhere else, Mr.

McPhillips, and I think it is not fair. I am just
going to be honest with you. We don't need you to
defend the communication you sent. We are talking
about two facts.

24 MEMBER MCPHILLIPS: Okay. Very good. So

1 I appreciate you giving me the opportunity to speak
2 again.

Yes, I did sign it and if you are offended, I'm sorry, too bad. I mean, to all trustees, if you are offended, I'm sorry.

I will repeat again all the facts. We are short 5 billion dollars. We had a felony theft. Members of this board knew about it and they continued to look the other way. In the April, 2019 meeting, when I brought it up, Chairman Fortuna stated I don't know anything about that and I don't understand how come --

MEMBER NANCE-HOLT: Trustee McPhillips, let me interrupt you. This is the First Deputy.

Let me interrupt you, okay, hold on.

Trustee Conyears-Ervin just said what we are here to discuss. Your political aspirations to be something more than what you are, I applaud them. But if you are going to be slanderous and just answer what you want to speak to but don't go over what you wrote and sent out, that was a horrible document. Let's stop. Let's cut it, okay. Just answer the two things Conyears-Ervin and the trustees said and that is it. We saw what

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1
     you sent out. We saw it, okay, so that is it.
 2
               MEMBER MCPHILLIPS: What do you mean
 3
     that's it? Where do you get off saying that's it?
               MEMBER NANCE-HOLT: You will find out.
 4
 5
               MEMBER MCPHILLIPS: Listen, you know your
     place. You are one of one person there.
 6
 7
               MEMBER NANCE-HOLT: That's correct and I
     represent the Fire Department --
8
 9
               MEMBER MCPHILLIPS: (Inaudible.)
10
               MEMBER NANCE-HOLT: -- as the First
11
     Deputy Commissioner of.
12
               MEMBER CONYEARS-ERVIN: Mr. President,
13
     can we move on?
14
               CHAIRMAN FORTUNA: Yes, we are going to
15
     move on. We are coming off of this subject right
16
     now.
17
               Trustee Martin, please move forward.
18
               MEMBER MARTIN: Mr. President, we move to
     public comments. Consistent with Public Act 91-017
19
20
     and reasonable constraints determined by the Board
     of Trustee, at each Regular Meeting of the Board or
21
22
     its Committees that is open to the public, members
23
     of the public may request a brief time to address
24
     the Board on relevant matters within its
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1 jurisdiction. 2 Are there any requests for public comment 3 today? MR. SWANSON: Mark, have you had an 4 5 opportunity to let everyone back in? MR. TORRES: Yes. 6 7 MR. SWANSON: We want to give everybody 8 an opportunity, if they have something to say. 9 Yes, they have been unmuted. MEMBER MARTIN: Given that there are no 10 11 requests for public comment, I'd like to move to the approval of the Administrative Items. 12 Item A, 13 Approval of the Minutes for the regular audio meeting of September 16, 2020, the Executive 14 session of September 16, 2020 Minutes and the 15 16 regular audio transcript from September 16, 2020. 17 I'd like to make a motion to approve. 18 MEMBER SONI: Second. 19 CHAIRMAN FORTUNA: Motion to approve by Trustee Martin. Seconded by Trustee Soni. 20 21 Trustee Martin. 22 MEMBER MARTIN: Yes. 23 CHAIRMAN FORTUNA: Trustee Soni. 24 MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	MEMBER MARTIN: Under Item B, Mr.
14	President, Minimum Formula Annuities. I make a
15	motion to approve the Minimum Formula Annuities
16	starting with Member 13424 and ending with Member
17	16689.
18	MEMBER MURPHY: Second.
19	CHAIRMAN FORTUNA: There's a motion to
20	approve by Trustee Martin. Seconded by Trustee
21	Murphy.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Holt.
8	MEMBER NANCE-HOLT: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	MEMBER MARTIN: Mr. President, under Item
15	C, I make a motion to approve the Widow's Annuities
16	starting with Member 09305 and ending with Member
17	08203.
18	MEMBER CONYEARS-ERVIN: Second.
19	CHAIRMAN FORTUNA: There is a motion by
20	Trustee Martin. Seconded by Trustee
21	Conyears-Ervin.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Holt.
8	MEMBER NANCE-HOLT: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	MEMBER MARTIN: Mr. President, moving to
15	Item D, I make a motion to approve the Refunds
16	beginning with Member 13880 continuing through to
17	Member 15061.
18	MEMBER McPHILLIPS: Second.
19	CHAIRMAN FORTUNA: That is a motion by
20	Trustee Martin. Seconded by Trustee McPhillips.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	MEMBER MARTIN: Mr. President, moving on
14	to Item E, Death Benefits. I move to approve the
15	Death Benefits starting with Member 09305 through
16	Member 06806.
17	MEMBER NANCE-HOLT: Second.
18	CHAIRMAN FORTUNA: Motion by Trustee
19	Martin. Seconded by Trustee Holt.
20	Trustee Martin.
21	MEMBER MARTIN: Yes.
22	CHAIRMAN FORTUNA: Trustee Soni.
23	MEMBER SONI: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER McPHILLIPS: Yes.
5	CHAIRMAN FORTUNA: Trustee Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	MEMBER MARTIN: Moving on to Item F,
13	Partial Payments. I make a motion to approve the
14	Partial Payments beginning with Member 12310
15	continuing through to Member 09848.
16	MEMBER VALENCIA: Second.
17	CHAIRMAN FORTUNA: Motion by Trustee
18	Martin. Seconded by Trustee Valencia.
19	Trustee Martin.
20	MEMBER MARTIN: Yes.
21	CHAIRMAN FORTUNA: Trustee Soni.
22	MEMBER SONI: Yes.
23	CHAIRMAN FORTUNA: Trustee
24	Conyears-Ervin.

1	MEMBER CONYEARS-ERVIN: Yes.
2	CHAIRMAN FORTUNA: Trustee McPhillips.
3	MEMBER McPHILLIPS: Yes.
4	CHAIRMAN FORTUNA: Trustee Holt.
5	MEMBER NANCE-HOLT: Yes.
6	CHAIRMAN FORTUNA: Trustee Murphy.
7	MEMBER MURPHY: Yes.
8	CHAIRMAN FORTUNA: Trustee Valencia.
9	MEMBER VALENCIA: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	MEMBER MARTIN: Mr. President, under Item
12	G, Benefit Recalculations. There is one Benefit
13	Recalculations. This involves a change from a
14	Child's Annuity to a Full Orphan pursuant to a
15	Special Needs Trust. The child is Anna Hull child
16	of Frank J. Hull. Staff has the proper paperwork
17	in place and it has been reviewed. Mr. President,
18	I make a motion to approve.
19	MEMBER NANCE-HOLT: Second.
20	CHAIRMAN FORTUNA: Motion by Trustee
21	Martin. Seconded by Trustee Holt.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Holt.
8	MEMBER NANCE-HOLT: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	MEMBER MARTIN: Mr. President, under Item
15	H, Request for Permission for Guardianship. There
16	are two guardianships matters for Members 06643
17	Dolores F. Caravello by her daughter and Member
18	09618 by James Hardy his stepson. Staff confirms
19	that the doctor's letters and Power of Attorney are
20	on file. I make a motion to approve the
21	guardianship in these two matters.
22	MEMBER SONI: Second.
23	CHAIRMAN FORTUNA: There's a motion by
24	Trustee Martin. Seconded by Trustee Soni.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: Mr. President, under Item
18	2, to reside out of state. There are no requests
19	this month.
20	Under Item I, I move to approve the
21	removals starting with Donna C. Herrity and ending
22	with Leroy J. Kowalski.
23	MEMBER MURPHY: Second.
24	CHAIRMAN FORTUNA: There's a motion by

1	Trustee Martin. Seconded by Trustee Murphy.
2	Trustee Martin.
3	MEMBER MARTIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	MEMBER MARTIN: Mr. President, we have
19	Request for Approval of Payments Pursuant to
20	Administrative and Court Orders. I move that all
21	Administrative and Court Orders listed in the
22	docket starting with Member 013736 and ending with
23	Member 014681 be approved.
24	MEMBER CONYEARS-ERVIN: Second.

ĺ	
1	CHAIRMAN FORTUNA: Motion by Trustee
2	Martin. Seconded by Trustee Conyears-Ervin.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Holt.
13	MEMBER NANCE-HOLT: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Valencia.
17	MEMBER VALENCIA: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	MEMBER MARTIN: Mr. President, under Item
20	4, we have consideration of approval for the
21	following matters. Is Vince on?
22	MR. PINELLI: Yes, I am.
23	MEMBER MARTIN: This is the Ordinary
24	Disability hearing for Carla Harkness. Is she

1 present? 2 MR. PINELLI: No, she is not present and 3 she will not be able to due to her ongoing treatment for her cancer condition. 4 5 However, I have reviewed the record and given the undisputed nature of the facts and the 6 7 treatment she is undergoing as well as the background information, I believe the trustees 8 9 should be comfortable in proceeding without her 10 being present today and I would recommend that. 11 If we are ready to proceed, Mr. Chairman, first of all, I would move for admission of Board 12 13 Exhibits 1 through 12 into the record. 14 CHAIRMAN FORTUNA: These are admitted 15 without objection. 16 (Board Exhibits 1 through 12 17 were admitted into the record.) 18 MR. PINELLI: Thank you. Just so the 19 record is clear, there are eight trustees presently 20 in the meeting to hear the evidence and determine 21 this matter. 22 At this time I would ask that Dr. Samo be 23 sworn to testify. Sir, could you please raise your 24 right hand?

1	(Witness sworn.)
2	DANIEL SAMO, M.D.
3	a witness herein, having been first duly sworn, was
4	examined and testified as follows:
5	EXAMINATION
6	BY MR. PINELLI:
7	Q Sir, would you please state your name?
8	A Daniel Samo.
9	Q You are a physician; is that correct?
10	A Yes.
11	Q And is a copy of your qualifications as a
12	physician attached to the Board Exhibits?
13	A I believe so.
14	Q Do you perform a function as a consultant
15	to this fund?
16	A Yes.
17	Q From time to time do you review records,
18	examine or interview applicants and report to the
19	Board?
20	A Yes.
21	Q Now with respect to Ms. Harkness, I
22	understand that Doctor Peters actually conducted
23	the interview; is that correct?
24	A That's correct.

1 Q Doctor Peters was not able to be here today due to the change in the scheduling of this 2 3 meeting? Also correct. 4 Α 5 Q As a result of that did you, yourself, then undertake to review the records and the report 6 7 of Doctor Peters? 8 Α I did. 9 Do you feel comfortable testifying based upon your review of that record as well as his 10 11 report? 12 Α Yes. 13 So with respect to the interview done of 14 Ms. Harkness, Doctor Peters conducted that. 15 upon what you have reviewed, do you believe that 16 the information that she provided him was accurate 17 with respect to her medical history? 18 Α Yes. Doctor, can you please just summarize for 19 Q us, if you would, what Doctor Peters conclusions 20 21 were with respect to his review of her situation? 22 He felt that Ms. Harkness, who is a Α 23 paramedic, was diagnosed with advanced

hepatocellular cancer of her liver in September,

24

She had progression of the tumor. underwent various treatments, including chemotherapy and radio ablations, none of which really were effective. Her original oncologist recommended that she go into hospice but she had a second opinion and had completed six weeks of chemotherapy when she saw Doctor Peters and was supposed to be going to be seen for further radiation therapy.

Q Doctor, based upon your knowledge and experience and this information that she is currently undergoing treatment for her cancer, 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 of the doctor.

CHAIRMAN FORTUNA: Any questions?

MEMBER MCPHILLIPS: No questions.

MR. PINELLI: I would make one comment for the record before the record undertakes a vote.

As I said the record is clear, Ms. Harkness entered service with the Fire Department April 1st of 2015.

Therefore she does not have the requisite seven

1	years of service that she would need in order to be
2	entitled to an Occupational Disease Disability
3	Benefit and that is why she has applied for the
4	Ordinary Disability Benefit. That is all I have on
5	that and I think the record is complete.
6	CHAIRMAN FORTUNA: Any questions?
7	MEMBER MARTIN: Mr. President, at this
8	time I would like to make a motion to grant.
9	MEMBER NANCE-HOLT: Second.
10	CHAIRMAN FORTUNA: There is a motion to
11	grant by Trustee Martin. Seconded by Trustee
12	Holt.
13	Trustee Martin.
14	MEMBER MARTIN: Yes.
15	CHAIRMAN FORTUNA: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes and my
18	prayers go out to Ms. Harkness.
19	CHAIRMAN FORTUNA: Trustee McPhillips.
20	MEMBER McPHILLIPS: Yes.
21	CHAIRMAN FORTUNA: Trustee Holt.
22	MEMBER NANCE-HOLT: Yes.
23	CHAIRMAN FORTUNA: Trustee Murphy.
24	MEMBER MURPHY: Yes.

1 CHAIRMAN FORTUNA: Trustee Valencia. 2 MEMBER VALENCIA: Yes. 3 CHAIRMAN FORTUNA: And I am a yes. MEMBER MARTIN: At this time I would like 4 5 to make a motion to adopt the Findings of Fact as drafted by Fund counsel and distributed to the 6 7 Trustees. MEMBER SONI: Second. 8 9 CHAIRMAN FORTUNA: There's a motion by 10 Trustee Martin. Seconded by Trustee Soni. 11 CHAIRMAN FORTUNA: Just for the record so we're clear, based on the Findings of Fact made by 12 13 the Trustees, the Trustees have voted to grant this 14 benefit and there will be a notification by mail of 15 the Findings of Fact. 16 MEMBER MARTIN: I'd like to move on to 17 Item 5, Approval of Board Physician Review of 18 Disability Recipients. I'd like to make a motion to approve the Board's physician's recommendations. 19 MEMBER MURPHY: Second. 20 21 CHAIRMAN FORTUNA: There is a motion by 22 Trustee Martin. Seconded by Trustee Murphy. 23 Trustee Martin. 24 MEMBER MARTIN: Yes.

1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Holt.
9	MEMBER NANCE-HOLT: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: Mr. President, moving on
16	to Investments. I'd like to turn it over to Lorna,
17	who will walk us through the Investment agenda.
18	MEMBER SONI: Sorry to interrupt. I need
19	to step away for some Budget items that I need to
20	do. I will come back to the meeting in about 45
21	minutes. I apologize.
22	CHAIRMAN FORTUNA: Okay. Thank you.
23	MEMBER SONI: Thank you.
24	(Member Soni left the meeting.)

MS. SCOTT: I will ask Mark to share his screen with Item 1 the Investment Report.

So first an update. We have completed our legal contract with Highclere and with this successful negotiation we are now out of the quiet period. The plan is to fund Highclere on October 30th so next week.

Moving on to the next slide, I will stay with the performance. This slide shows the one month performance for the month of September for various asset classes.

As you can see markets were broadly down. Down over uncertainty and uncertainty surrounding the virus, the vaccine, the U.S. election, stimulus status, just the current evaluation and a lot of uncertainty in the market brought it down.

As you see on the left side of this chart, U.S. equities underperformed. The broad market down negative 3.6 percent and that was primarily driven by the growth stocks that were down 4.6 percent. Value stocks and small cap where we have our tilts they didn't fall as much.

Looking at the next slide, this looks at the markets for the year-to-date period.

Year-to-date U.S. equity broad market is showing strong performance up 5.4 percent. You can see this is primarily driven by the growth stocks which are up 23 percent.

Again, it emphasizes this year's theme.

U.S. growth stocks are carrying this market. The performance difference between growth up 23 and value which is down 12.2 percent, which is truly amazing. We are also seeing big performance differentials between large cap up 6.4 and small cap which is down 8.7.

Again, our tilts in the portfolio are with value in the small cap and this is hurting us year-to-date. We also see, looking across the chart, positive performance in core bonds.

The next slide shows our performance versus the benchmark. For the month, like the market, the Fund is down. We are down 1.7 percent. Slightly behind the benchmark which was down 1.6 percent. Year-to-date the Fund is down 1.2 percent trailing behind the benchmark by about 3.1 percent.

Let's look closer at performance versus the benchmark and that is on the next slide. Here we try to explain how we are underperforming. For

the month the Fund generally performed in line with the benchmark. We can see the asset allocation contribution is basically offset by the manager's selection and execution contribution. Year-to-date you see most of our underperformance is due to that manager selection and execution column and that is why we have active management and style tilts.

The next slide provides a little bit more detail. So the Fund is down 1.2 percent. You can see that in column three versus the benchmark which was up 1.9 percent and that is in column four.

If you look at the U.S. equity, Global ex-U.S. equity and fixed income, these are our largest weights. The performance in these asset classes are primarily going to drive performance for the Fund as a whole.

Looking at U.S. equity, the Fund is up

2.4 percent versus the policy and the benchmark

which was up 5.4. Again, most of the

underperformance is due to our value tilts. Again,

which, as we have mentioned, has underperformed the

broader market so this is not unexpected.

The next category Global ex-U.S. we are down 6.5 percent. Trailing the benchmark which is

1 down 5.2 and this is primarily due to the underperformance by two value managers; Brandes and LSV. 2 3 Fixed income. Fund managers are up 5.7 percent but behind the policy which is up 6.8 and 4 5 that is primarily due to the underperformance by Loomis for bond portfolio. 6 7 Looking further down the chart, liquid diversifying is the most disappointing and that is 8 9 primarily driven by Black Rock's performance. 10 So the next slide shows the allocation to 11 MWDBE firms. We have 192 million or about 72 percent of the fund invested with the diverse 12 13 firms. 14 The next slide shows the allocation to 15 the Illinois firms. We have 149 million or 17 16 percent of the fund invested with Illinois firms. 17 The next slide moving right into 18 quarterly reporting. This slide shows our private market investment cash flows from private markets. 19 Looking at the chart, we can see we had 20 21 some Capital Calls in March and April. We received

some Capital Calls in March and April. We received
some distributions throughout the summer. Overall
year-to-date the program has paid out about
\$210,000. We have unfunded commitments around 55

million which we expect to be paid out or drawn
down over the next three or so years.

Moving on to the next quarterly reporting is Security Lending. Next slide. This first slide is a list of borrowers of our securities as of September 30th. The Fund has about 65 million of loans spread across the list of borrowers. Looking at these borrowers, the credit ratings are all good. We're not overly concentrated in any one borrower and have received the appropriate level of collateral so no real concerns here.

The next slide looks at our security lending income that we have earned from the program. Year-to-date we grossed about \$418,000 from security lending income. Northern has taken about 104 of that. They earned it. That leaves us with about 313,000 security lending income year-to-date thus far.

The next slide shows how much of our portfolio was out on loan to earn \$313,000.

Approximately 14 percent of the total securities available to loan have been out on loan, that is about 9 percent of the total funds.

The next slide is a manager update, which

I will turn over to Brady.

MR. O'CONNELL: Thank you, Lorna.

So there is a brief memo here from Loomis Sayles, one of the Fund's fixed income managers, regarding an announcement of the pending retirement of their Chief Investment Officer Jae Park.

At this point in time Callan has no concerns about this turnover. Just a little bit of background on Loomis Sayles. The Chief Investment Officer for this organization has more of a managerial role in overseeing the Fund's portfolio. In other investment organizations the CIO may play more of an investment or portfolio management role, but that's not the case here so this does not directly impact the portfolio management of your account.

More importantly this transition is very well planned. So they have announced it well in advance of the actual retirement. The Deputy CIO will be taking over. There is a period of transition so these leadership changes are not uncommon and this is how we like to see them handled. Communicated well in advance, well planned and an incoming CIO who we know, who is

familiar with the organization, so we expect little
changes as a result of this development so
recommending no action at this point.

MS. SCOTT: The next couple of slides are data oriented so I will leave those for your review or for your reference and so we move on to the next item which is the cash needs. I will turn this over to Jackie.

MS. VLAHOS: As we can see in October for our balance in our Chase/Fidelity accounts we have approximately 23.8 million dollars.

As we discussed last month, in August we had a surplus of around 25 million dollars. So

Lorna and myself had discussed it and she thought she would get a higher return so we had transferred 25 million to Northern Trust.

Last month we had to take 4 million to help cover the cost of the benefits so we have a remaining 21 million dollars being held in Northern, that brings us to a balance of cash of 44.8 million dollars.

We anticipate one more salary contribution before the end of month bringing us to a total of 46.5 million dollars available.

After we pay our benefits and our Death Benefits and our Refunds that are due this month, it brings us to a total of our bills of 32 million dollars. We will have a surplus still of 14.4 million dollars.

MEMBER VALENCIA: Jackie, have we had a surplus -- when is the last time we had a surplus where we actually haven't had to draw down?

MS. VLAHOS: We have actually -- so during the summer, that is usually how it goes. Basically when the first tax receipts are due, usually around March 1st, and so normally during those months, say March, April and May, usually there is no drawdown. And, obviously, as those dwindle down, usually you are looking at June, July, maybe August, there is a drawdown.

Obviously, we used to have to draw down a lot more before because our average tax receipts used to be around 100 million dollars. Clearly now just bringing us at around 250 it really covers a lot of our expenses. So when you look at the amount that we draw down now it is a lot less, which is nice because it helps us be able to invest our money.

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1
               I believe, Lorna, correct me if I am
     wrong, the last time we had to actually draw down
2
 3
     from investments was in August?
               MS. SCOTT: That sounds right.
 4
 5
               MS. VLAHOS: It was minimal because we
     did start getting tax receipts.
 6
 7
               MEMBER VALENCIA: When did we start
8
     seeing the increase in the tax receipts?
9
               MS. VLAHOS: We would have seen it right
10
     when the new pension legislation passed so I
     remember when I started in 1999 it was a flat
11
     amount which was I believe --
12
13
               MEMBER VALENCIA: 2016?
14
               MS. VLAHOS: Yes.
15
               MEMBER VALENCIA: You are talking about
16
     the fire pension bill in Springfield?
17
               MS. VLAHOS: Yes. In 2016 was the first
18
     time when we went from around 100 million dollars
19
     to 199.
20
               MEMBER VALENCIA: Got it, okay. And then
21
     every year it will increase?
22
               MS. VLAHOS: Yes.
                                  Right the amount due
23
     is 245.
24
               MEMBER VALENCIA: 245 million?
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1 MS. VLAHOS: Yes. 2 MEMBER VALENCIA: Just to remind you, 3 when I was LCGA Director, I helped with that override, Mayor Emanuel's first override. Just 4 5 throwing that out there. I am happy to see where that Bill has taken us. 6 7 MS. VLAHOS: In the past, we used to have to draw down I think approximately 10 percent to 8 9 cover expenses. Where now we are probably looking 10 at around 4 to 5 percent. 11 MEMBER VALENCIA: I was just curious because I know I started with the Board in 2017. 12 I 13 remember a lot of the drawdowns. We were doing lots of drawdowns. 14 15 Thank you for that history lesson, 16 Jackie. I appreciate it. 17 MS. VLAHOS: No problem. 18 If you want to go to the next slide, Mark, this is going to be our cash flows. 19 Basically, if you look at average tax 20 receipts, so the actual balance that we're still 21 22 due, is the 8.475 million dollars. However, in 23 December when we are reflecting the 7.2 million 24 dollars, I probably anticipate it's going to be

about half of that just because due to timing there
is usually a reconciliation for year-end that
usually comes in the end of January, maybe the

4 beginning of February.

If you also look to the transfer for managers, we're looking at possibly having to draw down approximately 31.5 million dollars from investments by the end of the year, which would be starting in November.

If you look at 2021, we will have 26.5 million dollars. And the year after that, in 2022, we are anticipating no draw downs needed for investments.

That is it, unless anyone has questions.

MEMBER MARTIN: A real quick comment,

Jackie. Actually, it would be good for the

trustees to know, when you gave your history

lesson, it was like 10 percent. I remember going

over this with Mike and it was -- towards the end

before this Bill was -- before the new law took

effect I think it was close to 16 percent so we

have cut the deficit by 75. So, I mean, maybe just

going forward, if you can take a look at that for

us.

1 MS. VLAHOS: Sure.

2 MEMBER MARTIN: That would be good

3 information.

MS. VLAHOS: I can put together a spreadsheet going over what the downs were historically. We can maybe include that next month to give you an idea where we were at to where we are going hopefully.

MEMBER MARTIN: Hopefully, we will get there soon. Thanks, Jackie.

MS. VLAHOS: No problem.

MS. SCOTT: Moving on to the next item the rebalancing template. Looking at the first column, the column shows the allocation of the Fund as of October 20th at the bottom of the first column. It shows me how much I can transfer to Chase at the end of the month. It is a good chance to review the asset allocation generally. So looking at that last column, it says the difference between our actual asset allocation and our policy. Looking at that column, we remain pretty close to target. We have the under allocation in private equity offset by an over allocation in cash.

Now I will turn that over to the last

1 | slide for investments to Brady.

MR. O'CONNELL: Thank you, Lorna.

So there is a memorandum from Callan that

I believe is the last investment agenda item.

Maybe, I will just speak to some of the written

comments here while we pull it up.

So Callan is recommending that the Board terminate Globeflex as an international small cap equity manager.

As we saw from the first slide in the investment section, Globeflex international had been on the Fund's watchlist. We recommend and ask the assets in an amount equivalent to the Globeflex international equity portfolio be used to initiate an investment with Highclere International Investors and that is a firm that the Board selected earlier this year as an international equity manager.

We recommend the Board consider using a transition manager to help facilitate the movement of the assets from the Globeflex portfolio into the Highclere portfolio.

The Fund historically has used separately managed accounts for most of the portfolios where

we have investments. Globeflex is a separately managed account. That structure, one of the benefits was it allowed us to trim from managers fairly easily so it was a regular part of the Fund operations when we were cash flow negative to call up managers and ask them to liquidate some holdings and send us the proceeds so we could pay benefits.

As we think about moving into a world where we are modestly cash flow positive, we will need to rely on that less. And as we think about making manager transitions, we will want to make use of transition managers more frequently.

The main benefit and why they have become kind of best practice for institutional investors in moving assets around is that they help manage the costs of selling assets.

So it can be expensive to trade international equities and small cap equities so using a transition manager helps minimize the transaction costs. We can't avoid them but we can use a manager like this to help minimize them.

Once assets earn cash that cash can be used either to fund Highclere or to pay benefits or whatever the Fund may need.

1 So our recommendation, again, just so 2 it's clear to the Board, is to officially terminate 3 Globeflex and this is just for their international 4 small cap equity portfolio and to transition those 5 assets to Highclere International. 6 MS. BURNS: Let's just be clear, there is 7 really, as I understand it, Brady, two points to your motion. One is the termination of Globeflex 8 and the second would be the retention of a 9 10 transition manager. Is that correct? 11 MR. O'CONNELL: Yes, that is correct. 12 MS. BURNS: Trustee Martin, with your permission, I would recommend that those be 13 14 separated out. 15 The first motion would be a motion to 16 terminate Globeflex and invest the proceeds with 17 Highclere subject to successful contract 18 negotiations. MEMBER MCPHILLIPS: Before that motion is 19 20 made, Brady, can I ask you a quick question? 21 transition management is this a real critical skill 22 or is this something anyone in the finance world

The reason I ask I am wondering if this

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can do?

is something we could give to one of the minority
women or disabled veterans firms? It doesn't have
to be Northern Trust, which gets a lot of our
business, unless you recommend otherwise that they
have a niche for this.

MR. O'CONNELL: Should we repeat the question? Did everybody hear that?

MS. BURNS: That is why I wanted to separate the questions out to do the termination and the transition separate exactly to address Trustee McPhillips' point, but you can address it now if that is best for Trustee McPhillips.

MR. O'CONNELL: So it is a fairly unique and specific skill. Northern Trust is not by any means the only organization that can do this work. The big custodial banks do have a specialty in doing it. There are some smaller firms that can do it as well.

I think the motivation or the benefit of using Northern Trust at this juncture is they are the Fund's custodian so we are familiar with them. We have a relationship with them already.

And there is I think a desire to just accomplish this transition as expeditiously as

1 possible, but they are not the only transition 2 manager that is out there. 3 MS. BURNS: Trustee McPhillips, perhaps to your point, it is totally acceptable and used by 4 5 other funds to put a requirement on Northern to trade through minority women and people with 6 7 disability firms to the greatest extent possible. 8 MEMBER MCPHILLIPS: I understand that but 9 we like to give everyone a bite of the apple. 10 it is something that we could do to give minority women or disabled veterans an opportunity, I'd like 11 to explore that. 12 13 Lorna, can you remind me the timeframe on 14 this? How soon are we looking to start liquidating 15 this? 16 MS. SCOTT: Highclere is rated as a 17 commingled fund so they have monthly openings. So 18 we would be either doing it next Friday or in a month from Friday. So the goal was to go ahead and 19 20 do it next Friday. 21 MEMBER MCPHILLIPS: Realistically we are 22 limited in time in being able to explore whether or not a minority woman --23

MS. SCOTT: No, I think when you look at

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the transition managers out there, I know Mary Pat

has mentioned this before, there are only a handful

really. It is the Russell's, it is the custodian

banks.

MS. BURNS: They are a registered investment advisor.

MS. SCOTT: I have had conversations I guess more recently with Sarah, which was about I think a woman owned firm, and I could be wrong on that, but they pulled out of the transition management business. So I think it is a very limited number of transition managers that are fully minority brokerage oriented that could do this.

However, back to what Mary Pat said, the transition manager that we do hire will be asked to meet our minority brokerage goals. To answer your question, we were trying to get it in by next Friday.

MEMBER MCPHILLIPS: We have explored -the Fund has explored realizing a woman minority
/disabled veteran firm. We weren't able to find
any and we discovered that Northern Trust is the
best route to go.

1 MS. SCOTT: I have not fully explored it. 2 I have had soft conversations with others to 3 realize that there doesn't appear to be a transition manager that is a MWDBE firm that does 4 5 it. We are back to using a transition manager that will use minority brokerage firms. Those managers 6 7 are out there. MEMBER MCPHILLIPS: No other questions, 8 9 unless the trustees have any questions on it. 10 MEMBER CONYEARS-ERVIN: I do want to say 11 I appreciate the conversation. And I, too, am 12 hoping that the next time this is presented to us 13 that there will be other options. 14 Obviously, this is a very short time 15 period. I am hoping that there will be a longer 16 time period and there will be other options. 17 just wanted to put that on the record. 18 MS. SCOTT: One of the things on my agenda is to do a transition manager pool next 19 year. I know Muni and Laborers both of them are 20 21 looking into that so I hope to kind of partner with 22 them and figure out who we can all use as 23 transition managers in our pool.

CHAIRMAN FORTUNA: Now we're going to do

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1	two separate motions, correct?
2	MS. BURNS: Right, that is what I would
3	recommend. The first motion is to terminate
4	Globeflex international small cap equity and invest
5	the proceeds with Highclere subject to contract
6	negotiations, based on the recommendation of the
7	investment consultant and Fund CIO.
8	CHAIRMAN FORTUNA: Who is going to make
9	that motion?
10	MEMBER MCPHILLIPS: I will make that
11	motion.
12	Thank you, Mary Pat.
13	MEMBER MARTIN: Second.
14	CHAIRMAN FORTUNA: There is a motion by
15	Trustee McPhillips. Seconded by Trustee Martin.
16	Trustee Martin.
17	MEMBER MARTIN: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee McPhillips.
22	MEMBER McPHILLIPS: Yes.
23	CHAIRMAN FORTUNA: Trustee Holt.
24	MEMBER NANCE-HOLT: Yes.

1 CHAIRMAN FORTUNA: Trustee Murphy. 2 MEMBER MURPHY: Yes. 3 CHAIRMAN FORTUNA: Trustee Valencia. MEMBER VALENCIA: Yes. 4 5 I wanted just to say real quick on this vote, I wanted to applaud our CFO. I like the idea 6 7 of pulling different funds for a pool. I think 8 that is a great idea. I am glad that we are going 9 that way so we have more options. I just wanted 10 that to be on the record as well. Thank you, 11 Lorna. 12 CHAIRMAN FORTUNA: Thank you. You are a 13 yes? MEMBER VALENCIA: Yes. 14 15 CHAIRMAN FORTUNA: And I am a yes. 16 Motion carries. 17 Mary Pat. MS. BURNS: The second motion would be a 18 motion to approve the utilization of Northern Trust 19 20 as a transition manager for the Globeflex account subject to successful contract negotiations, 21 22 including a requirement that Northern meet the 23 Fund's utilization of minority women and disabled 24 firms guidelines.

1 CHAIRMAN FORTUNA: Who will make that 2 motion? 3 MEMBER MARTIN: I will make it. MEMBER McPHILLIPS: Second. 4 5 CHAIRMAN FORTUNA: Seconded by Trustee 6 McPhillips. 7 Trustee Martin. 8 MEMBER MARTIN: Yes. 9 MEMBER MCPHILLIPS: On the question, Dan. 10 I'm sorry. Since you kind of helped make that 11 motion, what does that mean that they have to meet the guidelines? They absolutely have to meet that 12 13 criteria of utilizing enough minority women and disabled brokers? 14 15 MS. BURNS: It is not an absolute mandate 16 because the Pension Code expressly addresses this 17 issue and says it is always subject to fiduciary 18 and fiscal prudence. But Lorna will build into the contract a requirement that they use best efforts 19 20 to meet the goals and then report back to Lorna on 21 the goals so that she can use that in assessing 22 whether it has been a successful transition. 23 MEMBER MCPHILLIPS: Thank you, that clarifies it. Originally I thought the way it was 24

1 stated was that they had to meet the stated goals. 2 MEMBER MARTIN: Mary Pat, just a real 3 quick question. Finish the motion and I will ask the question. 4 5 CHAIRMAN FORTUNA: So there is a motion and a second so we are into discussion so go ahead. 6 7 MEMBER MARTIN: Just a real quick question. I don't think Lorna would have the 8 9 answer to this question but Mary Pat might 10 remember. I remember a number of years ago that we 11 did a whole like RFP. We investigated the 12 potential for having somebody specifically do our 13 transition management. Mary Pat, do you remember 14 that? 15 MS. BURNS: I do, sir. 16 MEMBER MARTIN: And maybe that is 17 something that Lorna and Brady can come back and 18 make a recommendation on. MS. BURNS: I think Lorna already 19 20 addressed that point. She is definitely looking to 21

addressed that point. She is definitely looking to
coordinate with the other City pension funds to
come up with a bench of transition managers who
would then all be held to the same standard and
requirement, that they focus on minority

1	utilization.
2	MEMBER MARTIN: I am fine with that. I
3	just remembered a history of it. I don't remember
4	exactly what we did or what the outcome of that
5	decision was. And then reconcile the both of them,
6	what we want to do with what we have done.
7	CHAIRMAN FORTUNA: There's a motion and
8	there is a second. I am going to take the role.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee McPhillips.
15	MEMBER McPHILLIPS: Yes.
16	CHAIRMAN FORTUNA: Trustee Holt.
17	MEMBER NANCE-HOLT: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: Trustee Valencia.
21	MEMBER VALENCIA: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	Motion carries.
24	MS. SCOTT: That concludes the Investment

1	Report.
2	CHAIRMAN FORTUNA: Thank you. I am going
3	to need a motion to accept.
4	MEMBER MARTIN: Motion to accept and
5	spread the Investment Report on the record.
6	MEMBER MURPHY: Second.
7	CHAIRMAN FORTUNA: Motion by Trustee
8	Martin. Seconded by Trustee Murphy.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee McPhillips.
15	MEMBER McPHILLIPS: Yes.
16	CHAIRMAN FORTUNA: Trustee Holt.
17	MEMBER NANCE-HOLT: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: Trustee Valencia.
21	MEMBER VALENCIA: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	Motion carries.
24	MEMBER MARTIN: Mr. President, moving to

1 Item 7, Expenditures. Administrative Expenses for 2 Board Review and Approval. 3 MEMBER CONYEARS-ERVIN: Mr. Martin, Mr. President, I didn't know that we were done with the 4 5 Investment Report. I had to step away to a quiet I had a question for Brady in regards to our 6 7 return and I didn't know -- I thought we were going over a little bit more. Maybe that is next month's 8 9 meeting. But I wanted to try to get an 10 understanding of what is our plan for the rest of 11 the year because I am concerned of the negative return and being below the benchmark. 12 13 MR. O'CONNELL: Mr. President, may I 14 address the question? 15 CHAIRMAN FORTUNA: Yes, please. 16 MR. O'CONNELL: Thank you. It is a great 17 question, too. 18 So I think one of the bigger issues facing the Fund from an investment strategy 19 20 standpoint is an issue that Lorna had alluded to in 21 her comments. 22 So the Fund has historically invested 23 more of the portfolio in value and small cap as an 24 equity investment style.

In 2020, those two styles have lagged 2 both the broad market but more importantly the 3 large growth investment style and large growth has been driven by a very narrow set of stocks.

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Amazon, Microsoft, Alphabet, Apple, Netflex. kind of tech names that you may have heard about.

If you look at the past ten years, the time period since the global financial crisis, growth as an investment style has significantly outperformed value.

I do believe that that outperformance is unsustainable and if you look at an even longer time horizon, say let's look at how these styles have done going back 20 years, value has had very similar returns to growth. Value actually outperformed the growth styles between the bursting of the technology bubble and leading into the global financial crisis.

So having a tilt towards small and value has a lot of support in investment theory and academic research. It has been out of favor for the past ten years and it's been extremely painful during 2020, but I think now would be the worse time possible to try to change that orientation.

So we have felt the pain of having the strategy but if for whatever reason the market shifts and growth underperforms in the market and value comes back into favor, I would expect to see this reverse.

We didn't get into the monthly returns a lot, and I hesitate to even point to short periods of time, but September was a month where growth underperformed the broader market and we saw value outperform.

The total fund return that we saw was negative and in line with the benchmark but if you look at the returns for the equity portfolio there was some very modest outperformance in the month.

So I do think, one, I acknowledge that those results are disappointing and they raise questions in this issue of growth as a style versus value and is it sustainable to expect these five or six stocks to drive the U.S. stock market going forward.

It is something that we are talking to a lot of our clients about. It seems like the number one conversation that I have with my clients these days.

It's impossible to predict when value

will come back but I am confident that it will and
when it does this strategy will rebound relative to
the market.

MEMBER CONYEARS-ERVIN: My team and I we were looking at this portfolio yesterday and we were looking at how it seemed as if about 35 percent of our portfolio is a drag.

So I hear what you are saying and I know, right, we are supposed to wait it out and that is the strategy that this Pension Fund has. Not the strategy of wait it out but the strategy that we have. We may be more inclined to wait it out but I am so very nervous. I do not want the prior Pension Fund to have a negative -- nobody does, right. I know that and I know that you don't. And I guess the strategy that we have right now that has us in this situation but is it the managers? You know, I wonder about that.

sense to go back to the report that showed some of the manager returns in the structure. Mr.

President, I will defer to you on whether the Board would like to spend some time on that. I am happy to talk about some of the individual managers but

MR. O'CONNELL: I am not sure if it makes

maybe just the brief part of it would be there are a lot of active managers in our portfolio and there are some that have this value style that have outperformed. You've got several growth managers that have done extraordinarily well also.

It's just so far in 2020 the positive impact of those growth managers doing well has not been enough to offset the underperformance of the value managers.

We have these exposures because we want to maintain a little bit of balance in the portfolio so there is what I had called earlier a tilt towards value and growth. We're not completely in value and avoiding growth. We are just tilted in that direction so when growth outperforms value there's been a drag.

If we only had the value managers, the underperformance would be much more significant then what we saw here. But I would certainly recommend against getting rid of the value managers and focusing all on the growth managers who have done well so far in 2020.

MEMBER CONYEARS-ERVIN: But the value managers are performing below the benchmark.

1 MR. O'CONNELL: That's correct.

MEMBER CONYEARS-ERVIN: So then my question is, and we don't have to go through the list for me to ask this question, so that is why my earlier question was is it the managers because the value benchmark is higher than what our managers are performing.

MR. O'CONNELL: Excellent point. So I focus more on the style issue, which I think is important for the Fund, but there are some of the managers that we're looking at more specifically.

The watchlist I think is an area where we have the most concern about the managers. There is one value oriented manager on that list. There's a growth oriented manager in Globeflex that is also on that list so it is not -- I have simplified things into growth and value but there are some underperformance in the portfolio. We're looking at that closely. We share your concern.

We are scheduled to do the deeper dive on performance at the November meeting. But, yes, there is some managers that we're looking at closely.

The thing with active managers we have to

be able to tolerate periods of underperformance and the key question and private question that is in your mind is how do we know when there is a natural period of underperformance versus a manager who is not going to be able to recover, whose approach is broken.

The watchlist is intended to be that mechanism, a signal from us to you, the Trustees, that here's some issues that we are watching that may be a signal that the manager has lost whatever hedge that they had.

MEMBER CONYEARS-ERVIN: Thank you and I can appreciate and I know that you and Lorna talk consistently and I know this is something that you look at. I just wanted to share my concern. I am sure that is the concern that you have as well and we can certainly have a deeper dive next month and I wanted to have this conversation as a prelude to next month. Of course, you know what that is about. Thank you.

CHAIRMAN FORTUNA: Thank you.

MS. SCOTT: In the Investment Report, there is a monthly report by manager. It involves a lot of data. I just want to refer you to that

1 report, too, because it does list all the returns 2 of the managers. 3 If you focus on the since inception 4 number, where we look at the longer term number, 5 you can get a sense of how they performed through 6 multiple cycles, not just in the last year. 7 numbers look pretty good so if you want to balance this year against the longer term. 8 9 CHAIRMAN FORTUNA: I'd like to move on 10 here because we have taken a motion to accept this 11 report. Whatever we are doing now is sort of over 12 the top so I'd like to get back on the agenda. 13 MEMBER CONYEARS-ERVIN: Thank you, Mr. 14 President, for allowing me to be over the top. 15 CHAIRMAN FORTUNA: You are over the top. 16 You are the best. 17 MEMBER MARTIN: Item 7, Expenditures. 18 Administrative Expenses for Board Review and 19 Approval. I move to approve the administrative 20 expenses as presented. 21 MEMBER MCPHILLIPS: Second. 22 CHAIRMAN FORTUNA: Okay. There is a 23 motion by Trustee Martin. Seconded by Trustee 24 McPhillips.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Holt.
9	MEMBER NANCE-HOLT: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: Moving to Item 8, the
16	Executive Director's Report. Steve.
17	MR. SWANSON: Mr. President, if it is
18	okay with you, can we go directly to the
19	legislative update and then the legal and then
20	circle back to myself.
21	CHAIRMAN FORTUNA: Yes, let's do that.
22	MR. SWANSON: Brandon?
23	MR. PHELPS: Thank you, Mr. President and
24	Trustees. On behalf of Jack Dorgan and Patrick

1 | Barry and myself, we are honored to represent you.

And I would be remiss not to say,

Melissa, we miss you in Springfield. It is not the same without you.

But right now every piece of legislation that is in front of you that effects you is actually in Rules Committee in the House. It is in assignment in the Senate and we're just waiting to go back to veto. We're not sure yet exactly if we are going to go back to veto session because of the spike of Covid and what happens during the election. So we will let you know as soon as we find out. But, again, it is an honor to represent you and we will take any questions that you have.

CHAIRMAN FORTUNA: Any questions?

it's good to see you, Mr. Phelps, and your team.

And we certainly served together in the General

Assembly and it's good to see you representing the

Fire Pension Fund and we look forward to working

with you and your team and protecting us. We need

our money. We need our benefits. And so I know

that you were diligent as a State Representative

and I am confident that you are going to be

1	diligent as our lobbyist. Thank you.
2	MR. PHELPS: Thank you, Melissa.
3	CHAIRMAN FORTUNA: Thank you, Brandon
4	Phelps, for your hard work.
5	MR. PHELPS: Thank you, Mr. Fortuna.
6	CHAIRMAN FORTUNA: Do I have a motion to
7	accept?
8	MEMBER MARTIN: Motion.
9	MEMBER CONYEARS-ERVIN: Second.
10	CHAIRMAN FORTUNA: Motion to accept by
11	Trustee Martin. Seconded by Conyears-Ervin.
12	Trustee Martin.
13	MEMBER MARTIN: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1 CHAIRMAN FORTUNA: And I am a yes. 2 MEMBER MARTIN: Lisle update. 3 MS. BURNS: There is just one legal matter that involves the Kinnebrew matter. You 4 5 recall that as trustees you were kind enough to allow the Kinnebrew family to come in and talk to 6 7 you about their issues. 8 As a result of that presentation, what we 9

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ended up doing is we directed the payments to the nursing home that Mrs. Kinnebrew went in and you ordered that to happen.

I want to report to you that Mrs. Kinnebrew has now passed away. As the materials in your Board book show, she was taken out of the nursing home in September. She moved back home to her son Carlos Johnson. If you remember, he was the son with the Power of Attorney. She remained in hospice for a couple of weeks and she died on October 9th.

The only issue before you is a request that we release the approximately I think \$9,000 that we are currently holding in annuity payments to the Power of Attorney.

We did verify with the nursing home that

there is no money owed to the nursing home, nor do they have any excess money that needs to be returned to the family.

If you are comfortable with doing it, what we would like to do is get a motion to allow the annuity payments currently being held for Members 909538, that those funds be released to the Power of Attorney after written notice to the family members who have been in contact with the Fund at their last known addresses.

The reason I am recommending that is just to make sure the rest of the family knows that we are releasing this 9,000 plus amount of money and that as a result of that there will be no more benefits due and owing from the Fund.

So that is my recommendation after working with Lori, who did a very kind and generous thing for this member throughout her sickness in the last months prior to her death.

MEMBER MARTIN: I'd like to thank Lori
Lund as well as make a motion to follow counsel's
recommendation with respect to the annuity
payments.

MEMBER VALENCIA: Second.

1	CHAIRMAN FORTUNA: Motion by Trustee
	-
2	Martin. Seconded by Trustee Valencia.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	Motion carries.
18	MEMBER MARTIN: Mr. President, going back
19	to the regular order of business with the Executive
20	Director's Report. Steve.
21	MR. SWANSON: Thank you, Mr. President.
22	If I may, I will skip ahead to Item 7B in Board
23	pack. It is our proposed meeting dates. This
24	requires Board action so if you could do this

1	first, I would certainly appreciate it. It is our
2	typical third Wednesday setup and the Board
3	President has always been accommodating when
4	changes have come forward, but we typically use the
5	third Wednesday to set the schedule for the year.
6	MEMBER MARTIN: I make a motion to
7	approve.
8	MEMBER NANCE-HOLT: Second.
9	CHAIRMAN FORTUNA: Motion to approve by
10	Trustee Martin. Seconded by Trustee Holt.
11	Trustee Martin.
12	MEMBER MARTIN: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Holt.
19	MEMBER NANCE-HOLT: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: Trustee Valencia.
23	MEMBER VALENCIA: Yes.
24	CHAIRMAN FORTUNA: And I am a yes.

1	MR. SWANSON: Mr. President, if we could
2	move to Item 7C, which is the proposed Fund holiday
3	schedule, which contains the typical holidays that
4	we have and we also include the Friday after
5	Thanksgiving which we normally have the employees
6	use their floater day for.
7	MEMBER MARTIN: Mr. President, I make a
8	motion to approve the 2021 FABF holiday schedule.
9	MEMBER NANCE-HOLT: Second.
10	CHAIRMAN FORTUNA: There is a motion by
11	Trustee Martin. Seconded by Trustee Holt.
12	Trustee Martin.
13	MEMBER MARTIN: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER McPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Holt.
20	MEMBER NANCE-HOLT: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: And I am a yes.
2	MR. SWANSON: Under Item 7E, the staff is
3	recommending bringing in two of the finalists from
4	the auditor RFP. The firms are Legacy
5	Professionals which is our incumbent and Mitchell
6	Titus which my understanding is a MWBE firm.
7	Those are our recommendations from the
8	five RFP responses that we received. We'd like to
9	do this at the November board meeting, unless the
LO	Board has some objections or you would like to hear
L1	from additional firms that responded to the RFP.
L2	MS. BURNS: I don't think you need a
L3	motion on that.
L 4	CHAIRMAN FORTUNA: We don't need a
L5	motion.
L 6	MS. BURNS: It's just if any trustees
L7	want to interview any additional firms.
L8	CHAIRMAN FORTUNA: Okay.
L9	MEMBER MCPHILLIPS: Steve, you are coming
20	up with Mitchell Titus and Legacy the incumbent?
21	MR. SWANSON: Yes.
22	MEMBER MCPHILLIPS: Why is that?
23	MR. SWANSON: Our Fund Comptroller
24	Jackie, who has audit experience, we relied on her

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     to conduct the review of the respondents.
                                                 And one
2
     of the firms right away really didn't have
 3
     comparable experience and then after her review of
 4
     the other respondents she felt the most strongly
 5
     about these two firms but again it is our
     recommendation.
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               MEMBER MCPHILLIPS: Okay.
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               CHAIRMAN FORTUNA: Any more questions?
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               MEMBER MCPHILLIPS: Hold on, just a
10
     second, Dan. So it is just Jackie and you looked
     at it and made the recommendations?
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12
               MR. SWANSON: Yes.
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               MEMBER MCPHILLIPS: Okay. Those are all
14
     the questions.
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               CHAIRMAN FORTUNA:
                                  Move forward.
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               MR. SWANSON: I will just go particular
17
     through --
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               MS. BURNS: Are you going to go through
     the motion for the blind mailing?
19
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               MR. SWANSON: There were no requests,
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     Mary Pat.
22
               MS. BURNS: One of things we thought was
23
     that, even though I always ask you never to take an
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     action that we don't need to take, in case there is
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1 a request between now and the next meeting, would 2 you want to approve the blind mailing for the retiree healthcare in case it comes up?

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MR. SWANSON: I did hear through the Municipal Pension Fund that Blue Cross Blue Shield indicated in writing that they weren't going to do a mailing.

I did reach out to Jack Burns, who handles the plan for Local 2. He said he would get back to me. I haven't heard anything back. We could take the action if you wish to be on the safe side in case something changes and someone comes up with something. As of right now we have contacted both parties and we haven't received any requests.

MS. BURNS: I would prefer that, so we are not doing a phone poll. Could we maybe get a motion to approve a retiree healthcare blind mailing subject to Fund counsel's review of the mailing and approval consistent with prior mailings, if we get the request? This is so that people during open enrollment period have a chance to make a choice.

MEMBER MARTIN: I will make a motion consistent with counsel's recommendation.

1	MEMBER McPHILLIPS: Second.
2	CHAIRMAN FORTUNA: There is a motion by
3	Trustee Martin. Seconded by Trustee McPhillips.
4	Trustee Martin.
5	MEMBER MARTIN: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER McPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Holt.
12	MEMBER NANCE-HOLT: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	Motion carries.
19	MEMBER MARTIN: Anything else, Steve?
20	MR. SWANSON: Yes, there is a couple of
21	quick things. Just for the Trustees review for
22	this month, we're not asking for action until
23	November. We do have our healthcare premiums out
24	there for the next plan year of 2021. It looks

1 like there is a 3 percent increase.

There is a second document that demonstrates that because of the change in healthcare plans that we did after 2018 our premiums of 2021 will still be 25 percent lower than they were in 2018. So the Fund being on this new plan moving away from our grandfather plan has saved a lot of money and continues to do so.

We are asking the trustees this is strictly for your rearview right now. We will ask for your approval next month so you have time to review that.

Also, we have some trustee education opportunities that are in Board pack.

Our response to the Special Committee on Pensions MWBE questionnaire that is on Board pack, if you want to review that, we will be sending that in as well. I know the hearings have yet to be scheduled yet. We're still waiting to hear back on when the hearings will be scheduled and we will make the trustees aware of that.

We also have, and we're asking the trustees to complete this, it will count towards educational training, we have got the sexual

1	harassment prevention training online, if you could
2	please read through that. After you complete the
3	training, if you could sign off on the certificate
4	at the end and return it to me, I would greatly
5	appreciate it.
6	I believe that will complete the
7	Executive Director's Report, Mr. President.
8	CHAIRMAN FORTUNA: Is there a motion to
9	accept the Executive Director's Report?
10	MEMBER MARTIN: Motion to accept and
11	spread it on the record.
12	MEMBER VALENCIA: Second.
13	CHAIRMAN FORTUNA: There is a motion by
14	Trustee Martin. Seconded by Trustee Valencia.
15	Trustee Martin.
16	MEMBER MARTIN: Yes.
17	CHAIRMAN FORTUNA: Trustee
18	Conyears-Ervin.
19	MEMBER CONYEARS-ERVIN: Yes.
20	CHAIRMAN FORTUNA: Trustee McPhillips.
21	MEMBER McPHILLIPS: Yes.
22	CHAIRMAN FORTUNA: Trustee Holt.
23	MEMBER NANCE-HOLT: Yes.
24	CHAIRMAN FORTUNA: Trustee Murphy.

1	MEMBER MURPHY: Yes.
2	CHAIRMAN FORTUNA: Trustee Valencia.
3	MEMBER VALENCIA: Yes.
4	CHAIRMAN FORTUNA: And I am a yes.
5	MEMBER MARTIN: Mr. President, being
6	there is no further business to discuss, I'd like
7	to make a motion to adjourn.
8	MEMBER MURPHY: Second.
9	CHAIRMAN FORTUNA: Motion to adjourn by
10	Trustee Martin. Seconded by Trustee Murphy.
11	Trustee Martin.
12	MEMBER MARTIN: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Holt.
19	MEMBER NANCE-HOLT: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: Trustee Valencia.
23	MEMBER VALENCIA: Yes.
24	CHAIRMAN FORTUNA: And I am a yes.

1	Thank you all so much.
2	
3	(WHICH WERE ALL THE PROCEEDINGS
4	IN THE ABOVE-ENTITLED MEETING
5	AT THIS DATE AND TIME.)
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
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6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
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17	<u>Debois Tyrrell</u> DEBBIE TYRRELL, CSR
18	License No. 084-001078
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DEBBIE TYRRELL REPORTING SERVICE

1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	MEETING NO. 1080)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the meeting of the above-entitled matter, held at
12	20 South Clark Street, Suite 300, in the City of
13	Chicago, County of Cook, State of Illinois, on
14	Wednesday, November 18, 2020, commencing at the
15	hour of 8:30 a.m.
16	
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21	
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23	
24	

1	APPEARANCES
2	BOARD MEMBERS:
3	DANTEL TODEWAY Described and
4	DANIEL FORTUNA, President and Annuitant Trustee
5	ANTHONY MARTIN, Secretary and Active Trustee
6	WILLIAM MURPHY, Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	ANNA VALENCIA, City Clerk
10	RESHMA SONI, City Comptroller
11	
12	ATTORNEYS FOR THE BOARD:
13	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS
14	MR. VINCENT PINELLI
15	ALSO PRESENT:
16	LORI LUND, Deputy Director
17	STEVEN R. SWANSON, Executive Director LORNA SCOTT, Chief Investment Officer
18	JACLYN VLAHOS, Comptroller JOHN CONNESS, Fund Accountant
19	MARC TORRES, IT Analyst
20	MARK MYSLINSKI, City Treasurer's Office DANIEL G. SAMO, M.D., Board Physician
21	MICHAEL I. PETERS, M.D., Board Physician
22	
23	
24	

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1	CHAIRMAN FORTUNA: Please, do a roll
2	call.
3	MEMBER MARTIN: Trustee Valencia.
4	MEMBER VALENCIA: Here.
5	MEMBER MARTIN: Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Here.
7	MEMBER MARTIN: Trustee Holt.
8	Trustee McPhillips.
9	MEMBER MCPHILLIPS: Here.
10	MEMBER MARTIN: Trustee Murphy.
11	MEMBER MURPHY: Here.
12	MEMBER MARTIN: Trustee Fortuna.
13	CHAIRMAN FORTUNA: Here.
14	MEMBER MARTIN: Trustee Martin is
15	present.
16	MS. BURNS: And Trustee Soni.
17	MEMBER MARTIN: Trustee Soni, I'm sorry.
18	MEMBER SONI: No problem. Good morning.
19	MEMBER MARTIN: We have a quorum.
20	CHAIRMAN FORTUNA: Thank you, very much.
21	I have to go through these remarks like I
22	have to every meeting now. So it is Public Act
23	101-0640 allows this meeting to be conducted by
24	audio video conference. The Act requires a roll

1 | call on each vote on each matter acted upon.

Further, consistent with Public Act

101-0640 for the record I am physically present at
the Fund office as is the Executive Director and we
are proceeding by video conference because we
continue to believe that due to the pandemic it is
important to not be physically present in the same
space.

So we have posted a Notice of this meeting in accordance with the Open Meetings Act and the meeting is being recorded and a transcript of the proceeding will be prepared and will be made available on the Fund's website.

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 its jurisdiction.

Are there any requests from the public to comment today?

That being said, if there are none, we will move on.

First, we will turn to approval of the
Administrative Items. Under Item A, Approval of
Minutes of Regular Audio Meeting for October 23,
2020, I make a motion to approve the Minutes from
the October 23, 2020 board meeting.
MEMBER SONI: Second.
CHAIRMAN FORTUNA: There's a motion by
Trustee Martin to approve the Minutes. Seconded by
Trustee Soni.
Trustee Martin.
MEMBER MARTIN: Yes.
CHAIRMAN FORTUNA: Trustee Soni.
MEMBER SONI: Yes.
CHAIRMAN FORTUNA: Trustee
Conyears-Ervin.
MEMBER CONYEARS-ERVIN: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER McPHILLIPS: Yes.
CHAIRMAN FORTUNA: Trustee Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Valencia.
MEMBER VALENCIA: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries. Go ahead.

1	MEMBER MARTIN: Mr. President, there was
2	a phone poll approving the October 23, 2020
3	transcript, which was taken on October 30, 2020. I
4	move that the phone poll be spread upon the record
5	and ratified by the Board.
6	MEMBER MURPHY: Second.
7	CHAIRMAN FORTUNA: There's a motion by
8	Trustee Martin. Seconded by Trustee Murphy.
9	Trustee Martin.
10	MEMBER MARTIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee
14	Conyears-Ervin.
15	MEMBER CONYEARS-ERVIN: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER McPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: Trustee Valencia.
21	MEMBER VALENCIA: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	MEMBER MARTIN: Mr. President, I make a
24	motion to approve the Minimum Formula Annuities

1	starting with Member 13749 and ending with Member
2	14772.
3	MEMBER CONYEARS-ERVIN: Second.
4	CHAIRMAN FORTUNA: There is a motion by
5	Trustee Martin. Seconded by Trustee Conyears
6	Ervin.
7	Trustee Martin.
8	MEMBER MARTIN: Yes.
9	CHAIRMAN FORTUNA: Trustee Soni.
10	MEMBER SONI: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee McPhillips.
15	MEMBER McPHILLIPS: Yes.
16	CHAIRMAN FORTUNA: Trustee Murphy.
17	MEMBER MURPHY: Yes.
18	CHAIRMAN FORTUNA: Trustee Valencia.
19	MEMBER VALENCIA: Yes.
20	CHAIRMAN FORTUNA: And I am a yes.
21	MEMBER MARTIN: Mr. President, moving on
22	to Item 2-C, we have Survivor Annuities, Widow's
23	Annuities and Children's Annuities. I make a
24	motion to approve the Widow's Annuities starting

1	with Member 09885 continuing to Member 09225.
2	MEMBER McPHILLIPS: Second.
3	CHAIRMAN FORTUNA: There's a motion by
4	Trustee Martin. Seconded by Trustee McPhillips.
5	Trustee Martin.
6	MEMBER MARTIN: Yes.
7	CHAIRMAN FORTUNA: Trustee Soni.
8	MEMBER SONI: Yes.
9	CHAIRMAN FORTUNA: Trustee
10	Conyears-Ervin.
11	MEMBER CONYEARS-ERVIN: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER McPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Valencia.
17	MEMBER VALENCIA: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	MEMBER MARTIN: Mr. President, moving to
20	Item D, we have Refunds. I make a motion to
21	approve Refunds of Contributions beginning with
22	Member 17579 and continuing through to Member
23	19021.
24	MEMBER CONYEARS-ERVIN: Second.

1	CHAIRMAN FORTUNA: Motion by Trustee
2	Martin. Seconded by Trustee Conyears.
3	CHAIRMAN FORTUNA: Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: Mr. President, moving on
18	to Item E, Death Benefits. I move to approve the
19	Death Benefits starting with Member 09498
20	continuing through Member 09225.
21	MEMBER VALENCIA: Second.
22	CHAIRMAN FORTUNA: Motion by Trustee
23	Martin. Seconded by Trustee Valencia.
24	Trustee Martin.

1	MEMBER MARTIN: Yes.
2	CHAIRMAN FORTUNA: Trustee Soni.
3	MEMBER SONI: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER McPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Valencia.
12	MEMBER VALENCIA: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	MEMBER MARTIN: Mr. President, moving on
15	to Partial Payments. I move to approve Partial
16	Payments beginning with Member 09498 and continuing
17	through Member 09225.
18	MEMBER SONI: Second.
19	CHAIRMAN FORTUNA: Motion by Trustee
20	Martin. Seconded by Trustee Soni.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1 CHAIRMAN FORTUNA: Trustee 2 Conyears-Ervin. 3 MEMBER CONYEARS-ERVIN: Yes. CHAIRMAN FORTUNA: Trustee McPhillips. 4 MEMBER McPHILLIPS: Yes. 5 CHAIRMAN FORTUNA: Trustee Murphy. 6 7 MEMBER MURPHY: Yes. CHAIRMAN FORTUNA: Trustee Valencia. 8 9 MEMBER VALENCIA: Yes. CHAIRMAN FORTUNA: And I am a yes. 10 11 MEMBER MARTIN: Mr. President, moving on to Item G, Benefit Recalculations. There is one 12 13 Benefit Recalculation. This involves a change from a child's annuity to a full orphan annuity. 14 15 child is Tina Marie Liva, child of Louis A. Liva. 16 The staff has the proper paperwork on file and I 17 believe it's been reviewed by counsel. Given that, 18 I make a motion to approve. 19 MEMBER MURPHY: Second. CHAIRMAN FORTUNA: Motion to approve by 20 21 Trustee Martin. Seconded by Trustee Murphy. 22 Trustee Martin. 23 MEMBER MARTIN: Yes. CHAIRMAN FORTUNA: Trustee Soni. 24

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	MEMBER MARTIN: Mr. President, moving on
13	to Request for Permission. There is an issue of
14	guardianship. This involves the matter of Tina
15	Marie Liva appointing her brother as her guardian.
16	Staff confirms that the court letters of
17	guardianship are on file. I make a motion to
18	approve the guardianship in this matter.
19	MEMBER CONYEARS-ERVIN: Second.
20	CHAIRMAN FORTUNA: Motion to approve by
21	Trustee Martin. Seconded by Trustee
22	Conyears-Ervin.
23	Trustee Martin.
24	MEMBER MARTIN: Yes.

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1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	MEMBER MARTIN: Mr. President, we have a
14	request to reside out of state. There is one
15	request and that is for Member 16041 Joseph Kelly
16	to reside out of state. I make a motion to
17	approve.
18	MEMBER McPHILLIPS: Second.
19	CHAIRMAN FORTUNA: Motion to approve by
20	Trustee Martin. Seconded by Trustee McPhillips.
21	Trustee Martin.
22	MEMBER MARTIN: Yes.
23	CHAIRMAN FORTUNA: Trustee Soni.
24	MEMBER SONI: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee McPhillips.
5	MEMBER McPHILLIPS: Yes.
6	CHAIRMAN FORTUNA: Trustee Murphy.
7	MEMBER MURPHY: Yes.
8	CHAIRMAN FORTUNA: Trustee Valencia.
9	MEMBER VALENCIA: Yes.
10	CHAIRMAN FORTUNA: And I am a yes.
11	MEMBER MARTIN: Mr. President, under Item
12	I, we have Removals. I move to approve the
13	Removals starting with Donald J. Brandel and ending
14	with Laila Lynch.
15	MEMBER VALENCIA: Second.
16	CHAIRMAN FORTUNA: Motion to approve the
17	Removals by Trustee Martin. Seconded by Trustee
18	Valencia.
19	Trustee Martin.
20	MEMBER MARTIN: Yes.
21	CHAIRMAN FORTUNA: Trustee Soni.
22	MEMBER SONI: Yes.
23	CHAIRMAN FORTUNA: Trustee
24	Conyears-Ervin.

1	MEMBED CONVENDS_EDUTN. Voc
1	MEMBER CONYEARS-ERVIN: Yes.
2	CHAIRMAN FORTUNA: Trustee McPhillips.
3	MEMBER McPHILLIPS: Yes.
4	CHAIRMAN FORTUNA: Trustee Murphy.
5	MEMBER MURPHY: Yes.
6	CHAIRMAN FORTUNA: Trustee Valencia.
7	MEMBER VALENCIA: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	MEMBER MARTIN: Mr. President, moving on
10	to Item 3. We have request for the approval of
11	Payments Pursuant to Administrative and Court
12	Orders. I move to approve all of the
13	Administrative and Court Orders listed in the
14	docket starting with Member 012407 and ending with
15	Member 013804.
16	MEMBER VALENCIA: Second.
17	CHAIRMAN FORTUNA: Motion by Trustee
18	Martin. Seconded by Trustee Valencia.
19	Trustee Martin.
20	MEMBER MARTIN: Yes.
21	CHAIRMAN FORTUNA: Trustee Soni.
22	MEMBER SONI: Yes.
23	CHAIRMAN FORTUNA: Trustee
24	Conyears-Ervin.

1	MEMBER CONYEARS-ERVIN: Yes.
2	CHAIRMAN FORTUNA: Trustee McPhillips.
3	MEMBER McPHILLIPS: Yes.
4	CHAIRMAN FORTUNA: Trustee Murphy.
5	MEMBER MURPHY: Yes.
6	CHAIRMAN FORTUNA: Trustee Valencia.
7	MEMBER VALENCIA: Yes.
8	CHAIRMAN FORTUNA: And I am a yes.
9	MEMBER MARTIN: Mr. President, if we are
10	ready, we can move on to the disability
11	applications.
12	MS. BURNS: Trustee Martin, Vince texted
13	me that he got caught behind an accident so he was
14	having a hard time getting to the office. Can we
15	go out of the regular order of business and
16	consider entertaining a motion to go out of the
17	regular order of business in order to do a few more
18	of the more routine items?
19	MEMBER MARTIN: I have no issue with that
20	at all. I make a motion to go out of the regular
21	order of business.
22	MEMBER SONI: Second.
23	CHAIRMAN FORTUNA: Motion by Martin.
24	Seconded by Trustee Soni.

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1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: Do we have the doctor
16	present?
17	MS. BURNS: Yes.
18	MEMBER MARTIN: I will stay in order
19	here. We will go to Item 5 Approval of Board
20	Physician Reviews of Disability Recipients. I move
21	to approve the board physician's recommendations.
22	MEMBER SONI: Second.
23	CHAIRMAN FORTUNA: Motion by Trustee
24	Martin. Seconded by Trustee Soni.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: Mr. President, we can
16	move to Item 6, if that would be okay, that is the
17	auditor finalist presentations.
18	MS. BURNS: Maybe, Trustee Martin, you
19	would consider skipping over that one and go to
20	Number 8, Expenditures.
21	MEMBER MARTIN: Mr. President, moving on
22	to Item 8-A Administrative Expenses for Board
23	Review and Approval. I move to approve the
24	Administrative Expenses as presented.

1	CHAIRMAN FORTUNA: Motion by Trustee
2	Martin. Seconded by Trustee Murphy.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: Mr. President, do we want
18	to move to Employee Healthcare for 2021, if Steve
19	wants to present on this issue?
20	CHAIRMAN FORTUNA: Yes, we are going to
21	do that. Go ahead, Steve.
22	MR. SWANSON: Yes. Thank you. Under
23	Item 8, there is healthcare premiums for 2021 A and
24	B. A shows the current costs that we have

attached.

To give the Trustees some background on this, in 2018 we changed our healthcare plan, staff healthcare plan, for 2019, which continues to save us about \$100,000 a year. We moved away from a grandfather plan and moved into a platinum plan, which is still a very good plan for the staff but it has saved the Fund considerable money.

It is shown in healthcare premiums for 2021 on that chart number B and also our healthcare costs do move up incrementally every year because a new plan is based on the age of the participants and thankfully we are all a year older heading into 2021. We're still here so it does cost a little bit. It moves up between 3 to 4 percent every year strictly based on age. You will see some increases as we move along but overall we have been able to achieve some good savings for the Fund over the last three years.

MEMBER MARTIN: Any Trustees have any questions on it? If not, I am going to make a motion to approve it.

MEMBER CONYEARS-ERVIN: Second.

CHAIRMAN FORTUNA: Motion to approve by

1	Trustee Martin. Seconded by Trustee Conyears
2	Ervin.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER McPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Valencia.
15	MEMBER VALENCIA: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	MEMBER MARTIN: Mr. President, moving to
18	Item 9. Steve, do you want to provide your
19	Executive Director's Report?
20	MR. SWANSON: I do have a few items I'd
21	like to go through. For one, in board packet, we
22	have been asked to provide quarterly a report on
23	member contributions. That is in Board pack, you
24	can find that there.

1 I also have a report on the 2020 FOIA requests we have received so far this year. One in 2 3 particular I wanted to mention was received that 4 prompted a phone poll where we received a request 5 for the meeting transcript from a Mr. Paul Cogswell. 6 7 The next item is 9-A in board pack. 8 is the IT Security Awareness Training. This is 9 required training for the Trustees. So, please, 10 when you have a little time read through it, 11 complete the training and then sign-off on the certificate and have it forwarded back to me. 12 I 13 certainly appreciate it. We need it completed by 14 the end of the year. 15 MS. BURNS: Every trustee will get one 16 hour of credit for completing that training towards 17 their required eight hours of continuing education. 18 MEMBER CONYEARS-ERVIN: What training? MR. SWANSON: IT Security Awareness 19 20 Training, Madam Treasurer. It is in Board pack. Ι can also forward it, if you would like. 21 22 TRUSTEE CONYEARS-ERVIN: That would be 23 good. 24 MEMBER VALENCIA: Is it possible that you

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1
     could let all the Trustees know how many hours that
2
     we have?
 3
               MR. SWANSON: You won't have to see me in
     December this year.
 4
 5
               MEMBER VALENCIA: For eight hours
     straight.
 6
 7
               MR. SWANSON: Yes. Hopefully, it was
     educational but thank you for putting up with us.
8
9
               But I will get that out to the Trustees
10
     probably next week after this meeting. Some of it
11
     I have to work with legal counsel on just to make
12
     sure my calculations are correct.
13
               The next item we have I see is the 2020
14
     active election results. I believe the Board needs
15
     to certify those.
16
               MEMBER MARTIN: Given that, Steve, I'd
17
     like to move to certify the active election results
18
     for the October, 2020 election and congratulate Mr.
     Robert Tebbens.
19
               MEMBER SONI:
20
                              Second.
21
               CHAIRMAN FORTUNA: A motion by Trustee
22
     Martin.
              Seconded by Trustee Soni.
23
               Trustee Martin.
24
               MEMBER MARTIN: Yes.
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1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	MEMBER MARTIN: Mr. President, I'd like
14	to move on to Cyber Liability Insurance for 2021.
15	I move to approve the purchase of the Cyber
16	Liability Insurance for 2021 as presented, which is
17	subject to Fund counsel's review and approval of
18	the policy.
19	MEMBER McPHILLIPS: Second.
20	CHAIRMAN FORTUNA: Motion by Trustee
21	Martin. Seconded by Trustee McPhillips.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	MS. BURNS: We can now go back to the
13	regular order of business and do the hearings
14	because I know we have some trustees who need to
15	leave. I believe Vince is on the call and ready to
16	proceed. He thanks you for your patience.
17	MEMBER MARTIN: I'd like to move on to
18	Item 4 Hearings.
19	Mr. Iniguez, are you online?
20	MR. INIGUEZ: Yes, I am here.
21	MEMBER MARTIN: Let the record reflect
22	this is the Duty Disability for Vincent Iniguez,
23	Firefighter, Engine 12.
24	Vincent, for the record, Vince Pinelli,

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1
     the Fund's attorney, is going to be conducting this
     hearing. Without anything further, Vince, take it
2
 3
     away.
               MR. PINELLI: Thank you, Mr. Secretary.
 4
 5
               Good morning, sir. Could you just please
     state your name so I pronounce it correctly and
 6
 7
     also spell your last name for the record.
               MR. INIGUEZ: Vincent Paul Iniguez,
8
9
     I-n-i-g-u-e-z.
10
               MR. PINELLI: Thank you. Mr. Iniquez,
11
     I'm going to be conducting this hearing for the
12
     record. I would like to advise you of some
     preliminary matters before we start evidence.
13
14
               First of all, there are I think eight
15
     trustees present.
16
               CHAIRMAN FORTUNA:
                                  Seven.
17
               MR. PINELLI: Thank you. There are seven
18
     trustees present at the current time to hear the
19
     evidence on your application. If you don't know
20
     you should know, you need the yes vote of at least
     five of those seven trustees in order to receive
21
22
     this benefit. Do you understand that?
23
               MR. INIGUEZ: Yes.
24
               MR. PINELLI: In addition, you're
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1 proceeding without an attorney. Is it your desire 2 to proceed without an attorney today? 3 MR. INIGUEZ: Yes. MR. PINELLI: Lastly, it is the 4 5 applicant's burden of proof to present sufficient evidence to the Board in order for the Board to 6 7 grant a benefit that the applicant is seeking. Do you understand it is your burden of proof? 8 9 MR. INIGUEZ: Yes. 10 MR. PINELLI: By way of procedures, I am 11 going to start by asking you some questions under 12 Then the board members may or may not have oath. 13 questions of you. Then I will call Doctor Samo, 14 the board's physician, who interviewed you. 15 there is anything I don't ask him that you think is 16 important for the Board to know, please let me know 17 and you will be given that opportunity. Do you 18 understand the procedures? MR. INIGUEZ: Yes. 19 20 MR. PINELLI: Then we are ready to 21 proceed. Could I have Mr. Iniquez and Dr. Samo 22 raise your right hands, please? 23 (Witness sworn.) 24 VINCENT P. INIGUEZ

1	a witness herein, having been first duly sworn, was
2	examined and testified as follows:
3	EXAMINATION
4	BY MR. PINELLI:
5	Q Sir, what is your current rank with the
6	Fire Department?
7	A Firefighter EMT.
8	Q And what was your last assignment before
9	you went on layup?
10	A Engine 32. You have me down at Engine
11	12. It is Engine 32.
12	Q Thank you for that clarification.
13	Directing your attention to the exhibits,
14	you should have been provided a copy of Board
15	Exhibits 1 through 13 in advance of the hearing.
16	Did you get those exhibits?
17	A Yes.
18	Q Did you have a chance to review them?
19	A Yes, I did.
20	Q Do you have any objection to their
21	admission into the record subject to that
22	clarification which you just made?
23	A No.
24	MR. PINELLI: Thank you.

1 Mr. Chairman, I move for admission of 2 Board's Exhibits 1 through 13, with that 3 clarification made by the applicant, without 4 objection. 5 CHAIRMAN FORTUNA: Admitted without 6 objection. 7 (Board Exhibits 1 through 13 8 were admitted into evidence.) 9 MR. PINELLI: Thank you. BY MR. PINELLI: 10 11 Now, sir, you are applying for a Duty Q 12 Disability benefit based upon an injury or injuries 13 that you sustained on October 28th of 2019; is that 14 correct? 15 Α Yes. 16 Understanding the Board has your sworn 17 statement and they have reviewed it, but could you 18 just briefly tell us in your own words where you were and what happened to you on that date? 19 20 Well, we were doing a rescue drill at Α Engine 32's quarters. Placed a 28-foot ladder to 21 22 the second floor. 23 Going up the ladder as I tried coming 24 through the window on the second floor, I couldn't

```
1
     wrap my leg around to get in and I ended up falling
2
     in head first and just pretty much landed on my
 3
     left side and that is when I hurt my leg, my knee
     and my back.
 4
 5
           Q
               Okay. Was that your lower lumbar area of
     your back?
 6
 7
           Α
               Yes.
               Prior to that date, had you ever had any
8
           Q
 9
     injuries to your lower back before?
10
           Α
               Yeah, I hurt it before, yeah.
11
               Did you hurt it before while you were
           Q
12
     working?
13
               Yeah.
           Α
14
               Were you able to rehabilitate and come
15
     back to active duty after those injuries?
16
               Yes, I was.
           Α
17
               Did you basically have conservative
18
     treatment, that is non-surgical treatment, that
     allowed you to rehabilitate and come back to work
19
     after those injuries?
20
21
               Yes. Just physical therapy.
           Α
22
               Now with respect to this injury,
23
     following it did you have consultations with
     various doctors regarding treatment for your lower
24
```

1 back? 2 Yes, I did. Α What did they advise you with respect to 3 Q treatment for your lower back? 4 5 Α Well, my first one was just physical 6 therapy and after the physical therapy it was still 7 bothering me. They sent me to pain management. 8 They ended up giving me -- it's called two ESI 9 injections, probably say about a month and a half 10 apart, and that didn't work either. Ended up going 11 for -- they sent me to an orthopedic doctor and he recommended that I have the surgery on the back and 12 13 I ended up going for a second opinion and he 14 recommended the same thing. 15 Q Are they recommending what is called a 16 fusion surgery? 17 Α Yes. Yes. Fusion, I believe, it is at 18 L-4/L-5 and then L-5/S-1 decompression and posterior spinal fusion. What is it? 19 Transforaminal lumbar interbody fusion and 20 something about some grafting. 21 22 Have you scheduled that surgery yet?

which is the state of the state

23

24

A Actually, I had it for the 29th of October and I couldn't make that one because my

sugar level was too high and my primary doctor
postponed it to get my sugar lower.

- Q Is it currently scheduled or not yet?
- A Not yet, no. They gave me some new medication for this diabetes that I was diagnosed I believe probably end of the February beginning of March after I has taking those ESI injections.
- Q Okay. Is it still your intention to go forward with the fusion just when the doctors tell you it is appropriate?
 - A Yeah. Yeah.

- Q Now can you describe for the board members currently what if any pain or limitations of movement you are experiencing with your lower back?
- A Well, with my lower back and it runs downs through my right leg and the buttocks in the back, as far as bending over, twisting, lifting, lifting anything heavy. I know I would have a problem with that SCBA tank, throwing that on, because where the tank ends on the bottom that is where a lot of the pain is at. As far as just walking, after I am walking about, 15, maybe 15, 20 minutes, it just flares up right away.

1	Q Now since you went on layup due to this
2	injury, have you engaged in any activity by which
3	you earn income?
4	A No. No.
5	Q Have you engaged in any sporting
6	activities?
7	A No.
8	Q Are you currently taking any medications
9	prescribed by a physician for the condition of your
10	back?
11	A Yeah. Tylenol-3 codeine and
12	Cyclobenzaprine.
13	Q Okay.
14	A Muscle relaxant.
15	MR. PINELLI: Thank you, very much. I
16	have no further questions at this time.
17	CHAIRMAN FORTUNA: Trustees, any
18	questions? Hearing none.
19	MR. PINELLI: I would then call Dr. Samo.
20	(Witness previously sworn.)
21	DANIEL G. SAMO, M.D.
22	a witness herein, having been first duly sworn, was
23	examined and testified as follows:
24	EXAMINATION

1	BY MR. PINELLI:
2	Q Please, state your name.
3	A Daniel Samo.
4	Q You are a physician; is that correct?
5	A Yes.
6	Q Are a copy of your qualifications as a
7	physician attached to the Board Exhibits?
8	A Yes.
9	Q Do you perform a function as a consultant
10	to this Fund?
11	A Yes.
12	Q In that capacity, do you review medical
13	records, interview or examine applicants and file a
14	written report with the Board?
15	A Yes.
16	Q Did you follow that procedure with
17	respect to Mr. Iniguez as marked as Board Exhibit
18	Number 2?
19	A Yes.
20	Q Doctor, can you briefly describe for us
21	what his diagnosis was and treatment
22	recommendations?
23	A So his diagnosis was spinal stenosis,
24	which is narrowing of the canal where the spinal

```
1
     cord and the nerves are, as well as a herniated
2
     disc. He did try conservative treatment as he
 3
     said. PT, epidural injections, which provided
     little or no relief. And so now he is scheduled
 4
 5
     for a decompression surgery, with a discectomy and
     a fusion.
 6
 7
               Doctor, given his current limitations as
8
     he described them and that diagnosis and
9
     recommendation for treatment, would he be able to
10
     safely perform his duties with the Fire Department
11
     in his condition?
12
          Α
               No.
13
               MR. PINELLI: Thank you. I have no
     further questions of the doctor.
14
15
               CHAIRMAN FORTUNA: Any questions for
     Doctor Samo from the Trustees?
16
17
               Go ahead. No questions moving forward
18
     then.
               MR. PINELLI: That would conclude the
19
     evidence on this matter.
20
21
               MEMBER MCPHILLIPS: I make a motion to
22
     grant.
23
               CHAIRMAN FORTUNA: There's a motion to
24
     grant by Trustee McPhillips.
```

1	MEMBER VALENCIA: Second.
2	CHAIRMAN FORTUNA: Second by Trustee
3	Valencia.
3	valencia.
4	Trustee Martin.
5	MEMBER MARTIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee McPhillips.
12	MEMBER McPHILLIPS: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Valencia.
16	MEMBER VALENCIA: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	MEMBER MARTIN: I'd like to make a motion
19	for reexam consistent with the Board's policy.
20	MEMBER SONI: Second.
21	CHAIRMAN FORTUNA: Motion for reexam by
22	Trustee Martin. Seconded by Trustee Soni.
23	Trustee Martin.
24	MEMBER MARTIN: Yes.

1	CHAIRMAN FORTUNA: Trustee Soni.
2	MEMBER SONI: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
-	
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	MEMBER MARTIN: I would also like to make
14	a motion to adopt the Findings of Fact as presented
15	by Fund counsel.
16	MEMBER MURPHY: Second.
17	CHAIRMAN FORTUNA: Motion by Trustee
18	Martin. Seconded by Trustee Murphy.
19	Based on the Findings of Fact made by the
20	Trustees, the Trustees have voted to grant the
21	benefit that you have requested. You will be
22	notified by mail of the Findings of Fact and the
23	Board's decision.
24	Thank you and good luck.

1	MR. INIGUEZ: Okay. Thank you.
2	MEMBER MARTIN: I'd like to move to the
3	Ordinary Disability application for Dawn Hoard.
4	MR. PINELLI: If I might, before we
5	proceed with the next two, I think perhaps an
6	Executive Session would be appropriate.
7	MS. BURNS: Motion to go into closed
8	session pursuant to Section 2(c)4 and 2(c)11 of the
9	Open Meetings Act.
10	MEMBER MARTIN: That would be my motion
11	then.
12	MEMBER CONYEARS-ERVIN: Second.
13	CHAIRMAN FORTUNA: Motion by Trustee
14	Martin. Seconded by Trustee Conyears-Ervin.
15	Trustee Martin.
16	MEMBER MARTIN: Yes.
17	CHAIRMAN FORTUNA: Trustee Soni.
18	MEMBER SONI: Yes.
19	CHAIRMAN FORTUNA: Trustee
20	Conyears-Ervin.
21	MEMBER CONYEARS-ERVIN: Yes.
22	CHAIRMAN FORTUNA: Trustee McPhillips.
23	MEMBER McPHILLIPS: Yes.
24	CHAIRMAN FORTUNA: Trustee Murphy.

1	MEMBER MURPHY: Yes.
2	CHAIRMAN FORTUNA: Trustee Valencia.
3	MEMBER VALENCIA: Yes.
4	CHAIRMAN FORTUNA: And I am a yes.
5	(Whereupon, the Board went into
6	executive session off the record.
7	No action was taken in Executive
8	Session.)
9	MEMBER MARTIN: Is Dawn Hoard present?
10	Is she on the phone?
11	MS. HOARD: I am on the phone now.
12	MEMBER MARTIN: Okay, Ms. Hoard.
13	Let the record reflect, Mr. President,
14	that this is the Ordinary Disability application
15	for Dawn Hoard.
16	Dawn, as you can tell, I don't know if
17	you can see but Vince Pinelli is the Fund counsel.
18	He will be conducting this hearing.
19	Without anything further, Vince.
20	MR. PINELLI: Thank you, Mr. Secretary.
21	Good morning, Ms. Hoard.
22	MS. HOARD: Good morning.
23	MR. PINELLI: As you have been told, I am
24	one of the attorneys handling this matter for the

1 I'd like to advise you of some preliminary 2 matters before we start evidence. 3 First of all, there are seven trustees 4 currently present on the call to hear the evidence 5 in this matter. If you don't know you should know you need the yes vote of at least five of the seven 6 7 trustees in order to receive this benefit. Do you understand that? 8 9 MS. HOARD: Yes. 10 MR. PINELLI: Also, I see you do not have 11 an attorney representing you in this matter, 12 though, any applicant may have an attorney. Is it 13 your desire to proceed without an attorney at this 14 hearing? 15 MS. HOARD: Yes. 16 MR. PINELLI: Okay. Lastly, it is always 17 the applicant's burden of proof to present 18 sufficient evidence to the Board in order for the Board to grant the benefit that the applicant is 19 20 seeking. Do you understand it is your burden of proof? 21 MS. HOARD: Do I understand what? 22 23 MR. PINELLI: That it is your burden of

24

proof as the applicant?

1	MS. HOARD: Yes.
2	MR. PINELLI: Okay. By way of
3	procedures, I am going to start by asking you some
4	questions under oath. The board members may or may
5	not have questions of you. Then I will call Dr.
6	Samo to testify. If there is anything I don't ask
7	him that you think is important, please let me know
8	and you will be given that opportunity. Do you
9	understand the procedures?
LO	MS. HOARD: Yes.
L1	Can I have your name again, please?
L2	MR. PINELLI: Sure. Vince Pinelli,
L3	P-i-n-e-l-1-i.
L4	MS. HOARD: Okay. Thank you.
L5	MR. PINELLI: You're welcome. Then we
L 6	are ready to proceed. Ms. Hoard and Dr. Samo,
L7	could you please both raise your right hands?
L8	(Witness sworn.)
L9	DAWN R. HOARD
20	a witness herein, having been first duly sworn, was
21	examined and testified as follows:
22	EXAMINATION
23	BY MR. PINELLI:
24	Q Ms. Hoard, please state your name and

1 spell your last name. 2 My name is Dawn Renee Hoard, H-o-a-r-d. Α 3 Ms. Hoard, what is your current rank with Q the Fire Department? 4 It is Fire Paramedic. 5 6 Were you provided a copy of exhibits 7 marked Board Exhibits 1 through 12 prior to today's 8 hearing? 9 Α I do have them, yes. Did you have a chance to review them? 10 Q 11 Yes, I did. Α 12 Do you have any objection to their 13 admission into the record in support of your 14 application? 15 Α No, I do not. Thank you. 16 MR. PINELLI: Mr. Chairman, I move for 17 admission of Board's Exhibits 1 through 12, without 18 objection from the applicant. 19 CHAIRMAN FORTUNA: Admitted without 20 objection. 21 MR. PINELLI: Thank you. 22 (Board Exhibits 1 through 12 were 23 admitted into evidence.) 24

BY MR. PINELLI:

Q Now, Ms. Hoard, you are applying for Ordinary Disability benefits due to certain medical conditions you are currently experiencing; is that correct?

A Yes, it is.

Q Could you briefly describe for the Board what is the nature of the medical condition that you are currently experiencing?

A Well, originally it started out with migraines. I ended up with severe neck pain. It turns out the migraines were triggered by the neck pain. I ended up having a fusion and plate and screws in my C-spine. And then he said I still had damage to other parts of the cervical spine and down the road that -- you know, I shouldn't be carrying heavy things because down the road I would end up having to have another surgery.

Six months into that, I started experiencing -- I had a real sharp pain in my left arm when I just went to grab something and then it was very sensitive and I had limited motion with that. About the same time I had lumbar pain, back pain. I had no incidents that would have caused

1 this injury at that time so I don't know. 2 anyway ended up with MRIs of my shoulder and my 3 lumbar and it turned out that I have bulging and damage to my lumbar spine that the neurosurgeon 4 5 suggested that I have another fusion. And my left shoulder, I went to see Dr. Ho, I believe his name 6 7 is, a shoulder specialist. And he said that I had 8 a partial tear to my rotator cuff and frozen 9 shoulder.

So I am in daily pain still and I go to therapy twice a week every week and I am just in pain every day.

- Q Ms. Hoard, when did you have that surgery?
 - A February 17th.
- Q Of this year?
- 17 A Of '20, yes.

10

11

12

13

14

15

16

18

19

20

21

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23

24

Q Thank you. And I take it that these conditions that you described they were not the result of an injury at work, correct?

A I did not claim that. My last call, my last call on shift, I did have -- there was an incident where the -- my last call, we were carrying someone down in a chair stair and my

```
1
     partner hoisted up his bottom end of it, which I
2
     jerked on my -- and I felt a pinch in my neck and
 3
     my back. It wasn't severe enough to me that -- you
     know, I was just like, oh, I will get over it. But
 4
 5
     it was that very next day after I slept that day
     that I got the migraines.
 6
 7
               Now, I am not claiming it on duty.
               We need to be clear because you have
8
           Q
9
     applied for an Ordinary Disability, which is by its
10
11
               Right.
           Α
12
               -- nature, not caused by a duty related
13
     injury.
14
               Right. I am just claiming Ordinary
           Α
15
     Disability, yes.
16
               For the injuries that are causing you to
17
     be disabled; is that correct?
18
           Α
               Yes.
                      Thank you for clarifying that.
19
               Okay.
           Q
20
                Since you went on layup have you engaged
     in any activities by which you earn income?
21
22
           Α
               No.
23
               Have you engaged in any sporting
     activities?
24
```

1	A No.
2	Q Do you have any appointments scheduled
3	with a doctor who performed the surgery on you?
4	A The neurosurgeon, no. No. His
5	recommendation was that I call him if I had any
6	other problems, you know, as far as any other new
7	things or if I decide to have the lumbar surgery.
8	Q Okay.
9	A Which yeah.
10	MR. PINELLI: Alright. Fine. That is
11	all the questions I have at this time. Thank you.
12	CHAIRMAN FORTUNA: Trustees, any
13	questions? Hearing none.
14	MR. PINELLI: I would call Dr. Samo to
15	testify.
16	(Witness previously sworn.)
17	DANIEL SAMO, M.D.
18	a witness herein, having been first duly sworn, was
19	examined and testified as follows:
20	EXAMINATION
21	BY MR. PINELLI:
22	Q Sir, please state your name.
23	A Daniel Samo.
24	Q You are a physician; is that correct?

1 Α Yes. 2 Is a copy of your qualifications as a Q 3 physician attached to the Board Exhibits? Α 4 Yes. 5 Q Do you perform a function as a consultant to this fund? 6 7 Α Yes. 8 In that capacity, do you review medical Q 9 records, examine applicants and report to the 10 Board? 11 Α Yes. 12 Did you follow that procedure with Q 13 respect to Ms. Hoard? 14 Α Yes. 15 Q And due to the current Covid conditions, 16 did you conduct a telephone interview of her as 17 opposed to an actual examination? 18 Α Yes. 19 Was the information that she provided to 20 you in that interview consistent with the medical 21 records that you reviewed? 22 Α Yes. 23 Q Doctor, can you just summarize for us briefly what is her current condition? 24

1	A Her current problems really had to do
2	with the neck problem was really resolved with
3	the surgery. Currently she has left shoulder pain.
4	There seems to be some adhesive capsulitis, which
5	is scarring around there, which limits the motion,
6	that causes painful motion. Some low back pain and
7	stiffness and the migraine headaches.
8	Q Based upon that symptomatology, would you
9	believe she could perform her duties with the Fire
10	Department?
11	A No.
12	MR. PINELLI: Thank you, doctor. That is
13	all the questions I have.
14	CHAIRMAN FORTUNA: Trustees, any
15	questions for the doctor?
16	MEMBER MCPHILLIPS: No questions.
17	CHAIRMAN FORTUNA: Okay. Thank you.
18	MR. PINELLI: That is the conclusion of
19	evidence in this matter.
20	MEMBER MCPHILLIPS: Motion to grant.
21	MEMBER MARTIN: Second.
22	CHAIRMAN FORTUNA: There is a motion to
23	grant by Trustee McPhillips. Seconded by Trustee
24	Martin.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: Mr. President, I make a
16	motion for reexam consistent with the Fund's
17	policy.
18	MEMBER SONI: Second.
19	CHAIRMAN FORTUNA: There is a motion by
20	Trustee Martin for reexam. Seconded by Trustee
21	Soni.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee Soni.

1	MEMBER SONI: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER McPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	MEMBER MARTIN: Mr. President, I'd like
13	to make a motion to adopt the Findings of Fact as
14	presented by Fund counsel.
15	MEMBER MURPHY: Second.
16	CHAIRMAN FORTUNA: There is a motion by
17	Trustee Martin. Seconded by Trustee Murphy.
18	Trustee Martin.
19	MEMBER MARTIN: Yes.
20	CHAIRMAN FORTUNA: Trustee Soni.
21	MEMBER SONI: Yes.
22	CHAIRMAN FORTUNA: Trustee
23	Conyears-Ervin.
24	MEMBER CONYEARS-ERVIN: Yes.

1	CHAIRMAN FORTUNA: Trustee McPhillips.
2	MEMBER McPHILLIPS: Yes.
3	CHAIRMAN FORTUNA: Trustee Murphy.
4	MEMBER MURPHY: Yes.
5	CHAIRMAN FORTUNA: Trustee Valencia.
6	MEMBER VALENCIA: Yes.
7	CHAIRMAN FORTUNA: And I am a yes.
8	Dawn, based on the Findings of Fact made
9	by the Trustees, the Trustees have voted to grant
10	the benefit that you have requested. You will
11	notified by mail of the Findings of Fact and the
12	Board's decision.
13	Thank you and good luck.
14	MS. HOARD: Thank you so much.
15	MEMBER MARTIN: Mr. President, I would
16	like to move to the Occupational Disease Disability
17	application for Ricardo Gomez, Firefighter, Engine
18	7.
19	Is Ricardo online or on the phone?
20	MR. GOMEZ: Yes.
21	MEMBER MARTIN: Mr. President, let the
22	record reflect that this is the Occupational
23	Disability application for Ricardo Gomez,
24	Firefighter, Engine 7.

Ricardo, the next person talking will be
the Fund counsel Vince Pinelli. He is going to be
conducting this hearing. Without anything further,
Vince.

MR. PINELLI: Thank you, Mr. Secretary.
Good morning, Mr. Gomez.

MR. GOMEZ: Good morning.

MR. PINELLI: As you have been told, I am one of the attorneys for the 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 seven trustees currently present to hear the evidence on your application. If you don't know you should know that the Pension Code requires that you get the yes vote of at least five of those seven trustees in order to receive this benefit. Do you understand that?

MR. GOMEZ: Yes.

MR. PINELLI: I also see from the record that you do not have an attorney representing you. Though, like any applicant, you do have the ability to have an attorney represent you, if you so

```
1
     choose.
              Is it your desire to proceed without an
 2
     attorney today?
 3
               MR. GOMEZ: Correct.
               MR. PINELLI: Lastly, it is always the
 4
 5
     applicant's burden of proof to present sufficient
     evidence to the Board in order for the Board to
 6
 7
     grant the benefit that the applicant is seeking.
     Do you understand as the applicant it is your
8
 9
     burden of proof?
               MR. GOMEZ: Correct.
10
11
               MR. PINELLI: Okay. By way of
     procedures, I am going to start by asking you some
12
13
     questions under oath.
                            The board members may or may
14
     not have questions of you. Then I will call Dr.
15
     Samo, the Board's physician consultant, to testify.
16
     If there is anything I don't ask him that you think
17
     is important for the Board to know, please let me
18
     know and you will be given that opportunity. Do
     you understand?
19
20
               MR. GOMEZ: Thank you.
21
               MR. PINELLI: Do you understand the
22
     procedures?
23
               MR. GOMEZ: Yes.
               MR. PINELLI: Okay.
24
                                    Then we are ready to
```

1 proceed with testimony. Mr. Gomez and Dr. Samo, 2 can you please raise your right hands? 3 (Witnesses sworn.) RICARDO GOMEZ 4 5 a witness herein, having been first duly sworn, was examined and testified as follows: 6 7 **EXAMINATION** 8 BY MR. PINELLI: 9 Q Mr. Gomez, just state your name for the record, please. 10 11 Ricardo Gomez. 12 Sir, what is your rank with the Fire 13 Department? (Single Role) Firefighter. 14 Α 15 Q Sir, prior to today's date, you should 16 have been provided a copy of the Board's exhibits 17 marked 1 through 10 from the Fund staff. Did you 18 receive those? 19 Α Yes. 20 Did you have an opportunity to review 21 them? 22 Α Yes. 23 Do you have any objection to their Q admission into the record for the trustees to 24

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1
     review in support of your application?
 2
           Α
               No.
 3
               MR. PINELLI: Thank you.
               Mr. Chairman, I move for admission of
 4
 5
     Board Exhibits 1 through 10, without objection from
 6
     the applicant.
 7
               CHAIRMAN FORTUNA:
                                   Admitted without
8
     objection.
 9
                (Board Exhibits 1 through 10
10
                were admitted into evidence.)
11
               MR. PINELLI: Thank you.
     BY MR. PINELLI:
12
13
               Mr. Gomez, you are applying for an
     Occupational Disease Disability benefit based upon
14
15
     certain medical conditions that you have. Can you
16
     just tell the Board what those are?
17
           Α
               I have chronic asthma as well as chronic
18
     hypertension. Did you want me to state, before I
     spoke to the doctor, any other medications or
19
20
     treatment that I am receiving?
21
               We will get there in one second.
           Q
22
           Α
               Okay.
23
               I just wanted to know the conditions
           Q
24
     first and you mentioned the asthma --
```

1 Α Chronic asthma. 2 Q And the hypertension, correct? 3 Α Yes. Anything else besides that? 4 Q 5 Α No, sir. Now, sir, have you completed more than 6 Q 7 seven years of service with the Fire Department? 8 Absolutely. 15 years, sir. Α 9 You came on in 2005; is that correct? Q 10 Α Correct. 11 Okay. Now with respect to these Q 12 conditions, did you have them before you came on 13 the Department? 14 Α No. 15 Q Okay. So they only came to your 16 attention after you started; is that correct? 17 Α Yes. 18 Okay. Can you tell us when were you Q first diagnosed with these conditions? 19 20 It's been some time now. It has Α 21 progressively gotten worse. You know, more 22 frequent exacerbations with my asthma. You know, 23 the difficulty breathing, the wheezing, bronchial 24 spasms, you know, coughing, that all started years ago. I was hospitalized with respiratory infection, if I am not mistaken, back in 2010 and from that point moving forward it just seems to have progressively gotten worse over the years.

And I continued to work. Nobody wants to apply for disability, Chairman. But at this point in my career, my doctor and myself and the doctors at the Fire Academy South, I think we all agree that it is the best thing for me and my family and just to make sure that, you know, I don't become a statistic.

I am quoting my doctor. My next fire might be my last.

I wish I didn't have to apply for disability, chairman and board members, but you know the time has come because my life is more important than anything else and I just want to state that to the board as well as to the doctors.

And I also --

Q Go ahead. Was there something else you wanted to say? I'm sorry, I didn't mean to cut you off.

A I just wanted to state it is not just my doctors but I am sure the doctors at Fire Academy

South as well, they seen, you know, me trending downward for the last few years not only with my chronic asthma but also my chronic hypertension.

At one point they sent the company down there to take me to the hospital a few years ago because my hypertension was so high they were afraid that I was going to, you know, stroke out or something like that.

And just recently over the last few years, I have noticed -- you know, again you just continue to work and pray to god that you get well. But, you know, you just notice that after every fire just the coughing and the wheezing and you know just difficulty breathing, the shortness of breath.

You know, I gave it my all. I gave them 15 good years. Worked with some great people, great companies. You know. I just hope that everybody takes all of that into consideration, chairman and board. Thank you.

Q Thank you. A couple more questions, sir, and I am almost done.

So the most current time that you went on layup I show in the records from Board Exhibit 5

1 that was February 28th, is that correct, of 2020? 2 February 28th, Chairman, is that what you Α 3 said? 4 Yes. Q 5 Α That sounds correct, it was in February. Okay. I stand corrected. The report is 6 Q 7 dated February 28th but it now looks like the layup date was February 19th. Does that sound right? 8 9 Right. I know it was in mid-February, Α 10 latter part. 11 It also indicates your chief complaint is Q a respiratory infection; is that correct? 12 13 Correct. Respiratory infections over the Α 14 past few years. 15 Q Okay. When you went on layup that day, 16 were you on duty or were you laying up from home? 17 Α Right, I laid up from home. 18 Q Okay. Alright. Thank you. couple more questions. Can you give the board 19 members just a brief chronology from when you came 20 21 on in 2005 to this current layup what assignments you had? Where have you been assigned to work? 22 23 I have been assigned to Truck 35, Engine Α 57, Engine 7, Engine 110, Engine 86 and I think 24

- 1 that is it and Engine 89 if I am not mistaken.
- 2 Yes, 89. But I spent most of my career on the west
- 3 | side at Engine 57 like the first half of my career.
- 4 Some great years there with some great people.
- Q Now, sir, since you went on layup in

 February, have you engaged in any activity by which
- 7 you earn income?
- 8 A Absolutely not.
 - Q Have you engaged in any sporting activities of any kind?
- 11 A No.

9

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- Q Are you currently -- now to the question you brought up earlier. Are you currently taking any medications prescribed by your doctors?
 - A Yes, I am taking many medications. You guys might have them in front of you. But along with, you know, my chronic asthma, which I will live with it seems like for the rest of my life, I use an inhaler. I use Flonase. I use the Advair and Wixela; steroids. Using Singulair Montelukast, which is the same medication just different brands. I am also using the Medrol pack it seems like every other month. As a matter of fact, I was just recently prescribed another Medrol pack because I

```
1
     had another exacerbation with my asthma. Also
     using Prednisone and also the nasal Flonase as
2
 3
     well.
               MR. PINELLI: Okay. Alright.
                                               Thank you.
 4
 5
     That is all the questions I have at this time.
               CHAIRMAN FORTUNA:
 6
                                  Trustees, any
7
     questions?
8
               MR. GOMEZ: I didn't know if I should ask
9
     the doctor, Chairman. But I also started treatment
     with a nebulizer with the Albuterol solution. I am
10
11
     also using the nebulizer machine with the Albuterol
12
     solution.
13
               MR. PINELLI: Okay. Thank you. No
14
     further questions. If there are no questions from
15
     the board, I would then call Dr. Samo.
16
                             (Witness previously sworn.)
17
                       DANIEL SAMO, M.D.
18
     a witness herein, having been first duly sworn, was
     examined and testified as follows:
19
20
                          EXAMINATION
21
                       BY MR. PINELLI:
22
               Sir, please state your name.
          Q
23
          Α
               Daniel Samo.
24
              You are a physician; is that correct?
          Q
```

1 Α Yes. 2 A copy of your qualifications are Q 3 attached to the board exhibits? 4 Α Yes. 5 Q Do you perform a function as a physician consultant to this fund? 6 7 Α Yes. 8 In that capacity, do you review medical Q 9 reports, examine or interview applicants and report to the board? 10 11 Α Yes. 12 Did you follow that procedure with 13 respect to Mr. Gomez? 14 Α Yes. 15 Q And due to the current Covid conditions, 16 did you examine him or just do a phone interview? 17 Α It was a telephone interview. 18 Q Based upon that interview, was the 19 information he provided to you consistent with the medical records you had reviewed? 20 21 Yes. Α 22 Doctor, can you briefly summarize for us, 23 if you would, what his current symptomatology is and condition? 24

He has some pulmonary problems since 2010. Actually, when he came on his pulmonary function test was mildly abnormal but I didn't see any further workup of that. He also had elevated blood pressure. All that began about 2010. Diagnosis of bronchitis, asthma, pneumonia, various things. He's had several episodes of that along the way.

Currently he continues to have respiratory symptoms. Wheezing, shortness of breath, with exertion. Also his blood pressure remains out of control, very high.

Q Doctor, did you see any evidence in the record post 2010 of any pulmonary function testing of any kind?

A No, there was no further testing. CFD Medical asked for some tests to be done. His doctor responded that he was not a pulmonologist and therefore couldn't order the tests. I am not sure why. So nothing was done. He was referred to a pulmonologist but I didn't see any record that he ever followed through on that.

- Q Who referred him to the pulmonologist?
- 24 A His primary care doctor. Dr. Lee I

1 believe his name was.

2

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- Q I'm sorry, you cut out.
- 3 A Dr. Lee was his primary care doctor.

MR. GOMEZ: Can I interject, Chairman? Just due to the whole Covid pandemic, that I was also advised that I shouldn't go to a hospital just for some tests. Because I tried to get it done in the office but they said that I would have to go to a hospital. Because I am such high risk because of the pandemic, because of my asthma and my hypertension, it's impossible to go to the hospital and risk catching Covid, which could lead to my demise. So there is no way I would put myself in a situation, when I am at home taking care of myself, to go into a hospital and take the chance of catching this disease. And, you know, at the very worse pass away. At the very least be very ill. So that is the reason for that.

But he did perform the office pulmonary test and it was like a point ten or something or a point twenty, which he said was not good. That should be in the records.

But I just wanted to make that clear, it's only been due to the Covid pandemic that I had

```
1
     to steer away from being around any hospital or any
2
     sick people in a hospital or I might be susceptible
 3
     to catching this Covid virus and becoming very ill
     and maybe also it might lead to my demise. Again,
 4
 5
     because of my asthma and hypertension.
 6
               MR. PINELLI: Okay, thank you, Mr. Gomez
 7
     for clarifying that.
               I have no further questions of the
8
 9
     doctor. Do you have any questions of the doctor?
10
               MEMBER MARTIN: Dr. Samo, I was looking
11
     at Firefighter Gomez's layup summary and do any of
     those layups seem to relate to the hypertension or
12
              It doesn't appear so to me.
13
     asthma?
14
               DOCTOR SAMO: I'd have to get to that
15
     page first.
16
               MR. PINELLI: It is Board Exhibit 4.
17
               DOCTOR SAMO: Exhibit 4. Not that I
18
     could tell but I mean there is all these things
     that were non-duty. I don't know what they are.
19
               He did tell me, and the medical records
20
     indicated, that he was laid up a couple times for
21
22
     both his pulmonary symptoms and his hypertension.
23
               MEMBER MARTIN: That was the last one in
24
     '19; is that correct?
```

```
1
               DOCTOR SAMO: That was a stomach illness.
2
     He had a layup for blood pressure in 2014. The
 3
     record -- I don't have them right in front of me.
     Those were the years he had a couple of layups for
 4
 5
     bronchitis, pneumonia and asthma. I don't know
 6
     specifically which dates.
 7
               MEMBER MARTIN: Is that it then, Vince?
8
               MR. PINELLI: Yes. I have no further
9
     questions of the doctor or the applicant.
10
               MEMBER MARTIN: Mr. President, at this
11
     time I would like to make a motion to grant.
12
               CHAIRMAN FORTUNA:
                                  There is a motion to
13
     grant by Trustee Martin.
14
               MEMBER MCPHILLIPS: Second.
15
               CHAIRMAN FORTUNA: Seconded by Trustee
16
     McPhillips.
17
               Trustee Martin.
18
               MEMBER MARTIN: No.
               CHAIRMAN FORTUNA: Trustee
19
20
     Conyears-Ervin.
21
               MEMBER CONYEARS-ERVIN: Yes.
22
               CHAIRMAN FORTUNA: Trustee McPhillips.
23
               MEMBER McPHILLIPS: Yes.
24
               CHAIRMAN FORTUNA: Trustee Murphy.
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1 MEMBER MURPHY: No. 2 CHAIRMAN FORTUNA: Trustee Valencia. 3 MEMBER VALENCIA: Yes. CHAIRMAN FORTUNA: And I am a yes. 4 5 MS. BURNS: Is Trustee Soni on the line? MEMBER MARTIN: No, she had to leave. 6 7 CHAIRMAN FORTUNA: The motion did not 8 pass. 9 MR. PINELLI: The motion would not pass 10 with only four yes votes. He would need five under 11 the Code. 12 MR. GOMEZ: So at this point if it was 13 not granted do I need to hire an attorney? I just 14 have a question. Why wouldn't it pass? I am 15 listening to all these other people. I have 16 chronic asthma. I have chronic hypertension. 17 you are saying there is no record of this. There 18 is years of respiratory infections, bronchitis, which is all asthma. It just all developed over 19 the years into chronic asthma. There's a lot of 20 21 records showing bronchitis, respiratory infections. 22 I don't understand why the board would negate --23 MR. SWANSON: Sir, this is Steve Swanson, 24 the Executive Director, here. We do need to move

```
1
     forward.
2
               MR. GOMEZ: Okay.
 3
               MR. SWANSON: You presented your evidence
     to the trustees.
 4
 5
               MR. GOMEZ:
                           Okay.
               CHAIRMAN FORTUNA: Based on the evidence
 6
 7
     we have heard and considered, the trustees have
8
     voted to deny the benefit you have requested. You
 9
     will be notified by mail of the decision, Findings
     of Fact and the board's decision.
10
                                         Thank you.
11
               MR. PINELLI: I'm sorry, Mr. Chairman,
12
     may I interject?
13
               MR. GOMEZ: I just have a question.
14
     mean so this means I will no longer have any means
15
     -- I mean I gave 15 years of my life to this
16
     Department and now I have no insurance.
                                               I will
17
     have no benefits. 15 years at busy companies
18
     working hard for this Department and this is how I
19
     am treated?
20
               MEMBER MARTIN: Mr. President, he can
21
     consult an attorney.
22
               MR. PINELLI:
                             If I may --
23
               MR. GOMEZ: Excuse me. I need advice.
                                                        I
     need advice.
24
```

1 MS. BURNS: Hold on, Mr. Gomez. not allowed to give you advice. But, Vince, make 2 3 your final statement and then, Mr. Gomez, we will be in touch with you. Go ahead, Vince. 4 5 MR. PINELLI: My final statement is a procedural one that because the motion failed now 6 under the Howe decision there must be a motion to 7 deny and then that motion once made would be voted 8 9 on and then that would be the decision subsequent 10 to be followed up with a written Finding of Fact. 11 Before concluding the record here today 12 on this matter, there would need to be a motion to 13 deny and then that needed to be voted on by the 14 trustees. 15 MS. BURNS: Trustee Martin, are you 16 willing to make a motion to deny the benefit 17 requested by Mr. Gomez? 18 MEMBER MARTIN: Yes, that will be my I make a motion to deny. 19 motion. 20 CHAIRMAN FORTUNA: Okay. Is there a 21 second? 22 MEMBER MCPHILLIPS: I will second it. 23 CHAIRMAN FORTUNA: There's a second by Trustee McPhillips. 24

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: No.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: No.
12	TRUSTEE CONYEARS-ERVIN: Wait.
13	MS. BURNS: Trustee Conyears-Ervin, you
14	want to be a no, ma'am, correct?
15	MEMBER CONYEARS-ERVIN: No.
16	Thank you.
17	MS. BURNS: You are welcome.
18	And you are a no, right?
19	CHAIRMAN FORTUNA: Yes.
20	MS. BURNS: Mr. Gomez, you will receive
21	in the mail a written statement that lays out the
22	reasons why the board voted to deny you the
23	benefit. You will then have 35 days from the date
24	of that letter to file what is called an

```
1
     Administrative Review where a judge will make an
2
     independent review of the record in support of your
 3
     case.
 4
               If you have questions regarding that
 5
     process, you can call the Fund office and ask to
     speak to Lori Lund, who is the Deputy Executive
 6
 7
     Director, and she will walk you through the process
     and help your lawyer get the documentation he or
8
 9
     she needs.
               We are available, Lori, if you need any
10
11
     help in servicing Mr. Gomez.
12
               MEMBER MARTIN:
                                Joseph Polanco, are you
13
     on the phone or on the Zoom?
14
               MR. POLANCO: Yes, this is Joseph
15
     Polanco.
16
               MEMBER MARTIN: Very good. Joseph, hello
17
     and welcome.
18
               For the record this is the Duty
     Disability Benefit application for Joseph Polanco.
19
     He's an Ambulance Commander for Ambulance 62.
20
21
               Joseph, also, you can see or hear Vince
               He is the Fund's counsel and he will be
22
     Pinelli.
     conducting the hearing for the Fund.
23
24
               Without anything further, Vince.
```

1 MR. PINELLI: Thank you, Mr. Secretary. 2 Good morning, Mr. Polanco. 3 As you have been told, I am one of the 4 attorneys for the Fund. I will be conducting this 5 hearing for the record. I'd like to advise you of 6 some preliminary matters before we start evidence. 7 First of all, there are seven trustees present to hear the evidence on your application. 8 9 The Pension Code requires that you get the yes vote 10 of at least five of those seven trustees in order 11 to receive this benefit. Do you understand that? 12 MR. POLANCO: Yes. 13 MR. PINELLI: In addition, I see you did 14 not have an attorney file an appearance for you in 15 this matter. Is it your desire to proceed without 16 an attorney? 17 MR. POLANCO: Yes. 18 MR. PINELLI: Lastly, it is the applicant's burden of proof to present sufficient 19 evidence to the board in order for the Board to 20 21 grant a benefit. Do you understand as the 22 applicant it is your burden of proof? 23 MR. POLANCO: Yes. 24 MR. PINELLI: By way of procedures, I am

1	going to start by asking you some questions under
2	oath. The board members may or may not have
3	questions of you. Then I will call Doctor Peters
4	to testify. If there is anything I don't ask him
5	that you think is important for the Board to know,
6	please let me know and you will be given that
7	opportunity. Do you understand the procedures?
8	MR. POLANCO: Yes.
9	MR. PINELLI: Then we are ready to
LO	proceed. Mr. Polanco and Dr. Peters, please raise
L1	your right hands.
L2	(Witness sworn.)
L3	JOSEPH M. POLANCO
L 4	a witness herein, having been first duly sworn, was
L5	examined and testified as follows:
L6	EXAMINATION
L7	BY MR. PINELLI:
L8	Q Mr. Polanco, please state your name and
L9	spell your last name for the record?
20	A Joseph Polanco, P-o-l-a-n-c-o.
21	Q What's your rank with the Fire
22	Department?
23	A Ambulance Commander.
24	Q What was your last assignment before you

```
1
     went on layup?
2
               Ambulance 62.
           Α
 3
               Did you receive a copy of what's been
     marked as Board Exhibits 1 through 14 prior to
 4
     today's date?
 5
           Α
 6
               Yes.
 7
           Q
               Did you have a chance to review them?
8
               Yes.
           Α
9
               Do you have any objection to their
           Q
10
     admission into the record in support of your
11
     application?
12
           Α
               No.
13
               MR. PINELLI: Thank you.
               Mr. President, I move for admission of
14
15
     Board Exhibits 1 through 14, without objection from
16
     the applicant.
17
               CHAIRMAN FORTUNA: Admitted without
18
     objection.
19
               MR. PINELLI: Thank you.
20
                (Board Exhibits 1 through 14 were
21
                 admitted into evidence.)
     BY MR. PINELLI:
22
23
               Mr. Polanco, your application indicates
           Q
24
     that you sustained an injury, that is the basis of
```

1 your application, on October 25th of 2019; is that 2 correct? 3 Α Yes. Understanding the Board has your written 4 5 statement to review, could you please briefly summarize for us where you were and what happened 6 7 to you on that date? 8 On October 25th, we were transporting a Α 9 patient that was found unconscious and breathing on 10 a CTA bus stop. We suspected it was drug related. 11 We proceeded to transport him to Northwestern 12 Hospital. 13 While we were approaching the hospital, 14 inside the bay, he managed to unseatbelt himself 15 and he lunged forward at me while I was sitting on 16 the bench and he attacked me. 17 We ended up wrestling. He reached for 18 the doors and managed to push me out the door and he stepped over me. 19 20 I ended up injuring my left shoulder and 21 then I was seen in the ER soon after. 22 Had you ever injured that shoulder prior 23 to that incident?

24

Α

No.

1 Q The records seem to indicate that 2 following the incident you had some conservative 3 treatment but that was not able to repair your injury to the point you could return to work, 4 5 correct? That is correct. I was seen at 6 Α 7 Northwestern and they diagnosed me with a strained left side pec strain, a shoulder and arm pain. 8 9 X-rays were taken. Showed no dislocation. And 10 then to followup with an ortho. 11 Through Medical I was set up with Dr. 12 Portland at IBJ. He suggested that we do some 13 therapy. Therapy was not successful and then a MRI 14 ensued. 15 Q Okay. So subsequent the MRI revealed 16 that you had a tear, tendon tears, inside that 17 shoulder, including your biceps; is that correct? 18 Α That is correct. I suffer three major tears, including a frayed biceps injury. 19 Okay. And then it was recommended and 20 you did undergo an initial surgery on January 31st 21 22 of this year, correct? 23 Α That is correct. January 31st was the

surgery at IBJ. It was successful according to Dr.

Portland. We went ahead and I was operated on. I was put in a sling and then physical therapy resumed.

Shortly after physical therapy, after like four or five weeks or so of therapy, I noticed that I was not getting any better. I was feeling certain limitations, some weakness. Strength was not coming back. And my therapist recommended me that I should notify my ortho of my concerns, that he suspected that I might have had it re-torn.

Q And then you did that and subsequently as a result did you undergo a revision surgery on July 27th of this year?

A That is correct. Following with Dr.

Portland's advice, he just wanted to do some

cortisone shots and more physical therapy. I

requested a second opinion with Doctor Nicholson at

Rush-Pres Ortho. Completely different treatment

plan. He suggested that we go in there and see how

the tendon looks, how healthy it looked and go from

there and so we did the revision. He was happy

with the tendon. He was able to put my shoulder

back together again and now at this time I am back

to therapy.

```
1
               I have been experiencing still weakness,
2
     some numbness, poor strength, the shoulder still
 3
     locks in place at times and clicking, arm fatigue.
     I have a problem reaching, lifting, getting
 4
 5
     dressed, doing housework, simple housework.
               So I am still experiencing a lot of the
 6
 7
     same issues that I have been experiencing since the
     first surgery.
8
 9
               Okay. Since you went on layup, have you
           Q
10
     engaged in any activities by which you earn income?
11
           Α
               No.
12
               Have you engaged in any sporting
13
     activities?
14
           Α
               No.
15
           Q
               Are you currently taking any medications
16
     prescribed by a doctor for pain?
17
               I was initially taking some pain
18
     medication, like hydrocodone. From time to time I
     may take some Tramadol after therapy.
19
                                             But those
     are the only medications for pain that I am taking
20
21
     at this time.
22
               MR. PINELLI: Thank you. That is all the
23
     questions I have of the applicant.
24
               CHAIRMAN FORTUNA:
                                   Trustees, any
```

```
1
     questions?
2
               MEMBER MCPHILLIPS: No questions.
 3
               MR. PINELLI: I would call Dr. Peters to
     testify.
 4
 5
                         (Witness previously sworn.)
 6
                    MICHAEL I. PETERS, M.D.
 7
     a witness herein, having been first duly sworn, was
8
     examined and testified as follows:
 9
                          EXAMINATION
                        BY MR. PINELLI:
10
11
               Sir, state your name.
           Q
               Michael I. Peters.
12
           Α
13
               Is a copy of your qualifications as a
     physician attached to the Board Exhibits?
14
15
           Α
               Yes.
16
               Do you perform a function as a consultant
17
     to this fund?
18
           Α
               Yes, I do.
19
               In that capacity do you review medical
           Q
20
     records, examine or interview applicants and report
21
     to the Board?
22
           Α
               Yes.
23
           Q
               Did you follow that procedure with
24
     respect to Mr. Polanco?
```

- 1 A Yes, I did.
- 2 Q Is a copy of your written report to the
- 3 Board marked as Board Exhibit 2?
- 4 A Yes.
- Q Doctor, did you conduct a telephone interview of him?
- 7 A Yes, I did.
- Q And was the information he provided you
 in that interview consistent with the medical
 records you reviewed?
- 11 A Yes, it was.

14

15

16

17

18

19

20

21

- Q Can you briefly summarize for us what the state of his current condition is?
 - A He sustained a tear, as he mentioned, three different areas but specifically the supraspinatus tendon, which was repaired the first time, re-torn and then unfortunately became retracted with muscle atrophy. So when Doctor Nicholson did the second surgery, that left Mr. Polanco with a difficult rehab. So he still doesn't have full range of motion or strength of the left shoulder.
- Q As a result of that would he be able to perform his duties with the fire department?

1	A No.
2	MR. PINELLI: Thank you, that is all the
3	questions I have.
4	CHAIRMAN FORTUNA: Trustees, any
5	questions for the doctor?
6	MEMBER MCPHILLIPS: No questions.
7	MEMBER MARTIN: Mr. President, I would
8	like to make a motion to grant.
9	MEMBER VALENCIA: Second.
10	CHAIRMAN FORTUNA: There's a motion to
11	grant by Trustee Martin. Seconded by Trustee
12	Valencia.
13	Trustee Martin.
14	MEMBER MARTIN: Yes.
15	CHAIRMAN FORTUNA: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes.
18	CHAIRMAN FORTUNA: Trustee McPhillips.
19	MEMBER McPHILLIPS: Yes.
20	CHAIRMAN FORTUNA: Trustee Murphy.
21	MEMBER MURPHY: Yes.
22	CHAIRMAN FORTUNA: Trustee Valencia.
23	MEMBER VALENCIA: Yes.
24	CHAIRMAN FORTUNA: And I am a yes.

1	MEMBER MARTIN: Mr. President, I'd like
2	to make a motion for reexam consistent with the
3	Fund's policy.
4	MEMBER MURPHY: Second.
5	CHAIRMAN FORTUNA: Motion for reexam by
6	Trustee Martin. Seconded by Trustee Murphy.
7	Trustee Martin.
8	MEMBER MARTIN: Yes.
9	CHAIRMAN FORTUNA: Trustee
10	Conyears-Ervin.
11	MEMBER CONYEARS-ERVIN: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER McPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Valencia.
17	MEMBER VALENCIA: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	MEMBER MARTIN: Mr. President, I'd like
20	to make a motion to adopt the Findings of Fact as
21	presented by Fund counsel.
22	MEMBER CONYEARS-ERVIN: Second.
23	CHAIRMAN FORTUNA: Motion by Trustee
24	Martin. Seconded by Trustee Conyears-Ervin.

1	Trustee Martin.
2	MEMBER MARTIN: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER McPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Valencia.
11	MEMBER VALENCIA: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Sir, based on the Findings of Fact made
14	by the Trustees, the Trustees have voted to grant
15	the benefit that you have requested. You will be
16	notified by mail of the Findings of Fact and the
17	Board's decision.
18	Thank you and good luck.
19	MR. POLANCO: Thank you. You guys have a
20	great holiday.
21	MEMBER MARTIN: I'd like to move to the
22	Duty Disability application for Adetola Bey.
23	Adetola, are you on the phone or Zoom?
24	MR. BEY: Yes, I am here.

1 MEMBER MARTIN: Let the record reflect 2 this is the Duty Disability application for Adetola 3 Bey, EMT, Firefighter, Truck 24. Without anything further, Vince Pinelli, 4 5 the Fund attorney, is going to be conducting this hearing. Vince. 6 7 MR. PINELLI: Thank you, Mr. Secretary. Good morning, Mr. Bey. 8 9 MR. BEY: Good morning. 10 MR. PINELLI: As you have been told, I am 11 one of the attorneys for the Pension Fund. I will be conducting this hearing for the record. 12 13 Let me start by advising you of some 14 preliminary matters. There are currently seven 15 trustees present to hear the evidence on your 16 application. If you don't know you should know you 17 need the yes vote per the Pension Code of at five 18 of those seven trustees in order to get this benefit. Do you understand that? 19 MR. BEY: 20 Yes. 21 MR. PINELLI: I see you do not have an 22 attorney representing you. Is it your desire to 23 proceed without an attorney? 24 MR. BEY: Yes.

1	MR. PINELLI: Lastly, it is the
2	applicant's burden of proof to present sufficient
3	evidence to the Board in order for the Board to
4	grant a benefit. Do you understand it is your
5	burden of proof?
6	MR. BEY: Yes, I understand the burden of
7	proof.
8	MR. PINELLI: By way of procedures, I am
9	going to start by asking you some questions under
10	oath. The board members may or may not have
11	questions. I will then call the Fund's physician
12	consultant Dr. Peter's to testify. If there is
13	anything I don't ask him that you think is
14	important, let me know and you will be given that
15	opportunity. Do you understand the procedures?
16	MR. BEY: Yes.
17	MR. PINELLI: Then we are ready to
18	proceed. Could you and Dr. Peters please raise
19	your right hands and be sworn in?
20	(Witness sworn.)
21	ADETOLA BEY
22	a witness herein, having been first duly sworn, was
23	examined and testified as follows:
24	EXAMINATION

1	BY MR. PINELLI:
2	Q Sir, please state your name for the
3	record.
4	A Adetola Bey.
5	Q Just spell your first name for the
6	record, please.
7	A A-d-e-t-o-l-a.
8	Q Thank you. Now what is your rank with
9	the Fire Department?
10	A Firefighter EMT.
11	Q What was your last assignment before you
12	went on layup?
13	A Truck 24.
14	Q Did you receive a copy of what's been
15	marked as Board Exhibits 1 through 14 prior to
16	today's date?
17	A Yes.
18	Q Did you have a chance to review them?
19	A Yes.
20	Q Do you have any objection to their
21	admission into the record in support of your
22	application?
23	A No.
24	MR. PINELLI: Thank you.

1 Mr. Chairman, I move for admission of 2 Board Exhibits 1 through 14, without objection. 3 CHAIRMAN FORTUNA: Admitted without objection. 4 5 MR. PINELLI: Thank you. (Board Exhibits 1 through 14 6 7 were admitted into evidence.) 8 BY MR. PINELLI: 9 You are applying for this Duty Disability Q 10 benefit based upon injuries that you sustained on 11 September 24, of 2019; is that correct? 12 Α Yes. 13 Understanding that the Board has your 14 written sworn statement in front of them, could you 15 just briefly describe for us the circumstances of 16 where you were and how you were injured and what 17 happened to you? 18 I was on shift and we were called for extrication of a child that was locked in the car 19 20 by her mother. So we were forcing the car door open. In the process of forcing the car door open, 21 22 I heard the pop in my lower back and you know I 23 fell back and fell down and I was -- the pain went 24 down my right leg and after we got done getting the

- kid out when I got back to the firehouse the

 ambulance took me to the emergency room from the

 firehouse. I was injured while removing a kid out

 of a locked car.
 - Q That part of your body; your right leg, right hip, back area, had your ever injured that before that date?
 - A No. No. Completely healthy.

- Q Subsequent to that date you then underwent some conservative treatment in an attempt to get you back to work; is that correct?
 - A Well, they sent me to therapy after the MRI.
 - Q Right. That is what --
- 15 A Yes. It was therapy. Yes, it was
 16 physical therapy. Yes.
- 17 Q That did not alleviate your symptoms; is 18 that correct?
 - A Well, the lower back healed completely but the problem was that the lower back was healing but my hip never stopped hurting. Therapy kept telling Dr. Troy that there was something wrong with my hip and he wouldn't listen so we finally forced the issue to get a MRI on my hip and that

was when it was discovered that there was also an injury there as well.

- Q That showed several tears in your right hip; is that right?
 - A Yeah. In the labrum of my hip.
- Q Okay. As a result of that, did you then undergo a surgical procedure to repair those tears?
- A Yeah. The MRI was in January, if I remember right. The surgery wasn't until May 27th because the first doctor quit the practice. The second and third doctor I went to see they felt they weren't competent enough to do the surgery so I was referred to Dr. Nho, which was the fourth doctor. I saw him the beginning of May and I had the surgery May 27th.
- Q Can you describe for the board members currently what if any symptoms or limitations you are experiencing following the surgery?
- A Postop my abductor in my leg is extremely painful and it is tight. The outer part of my hip is like -- it is a painful spot there to the point -- I normally sleep on my right side. I can't sleep on my right side any more because when I lay on it it wakes me up. So I have trouble sleeping

1 at night because if I lay on my right side I wakeup
2 constantly.

And then I have a slight pain in the front of my hip. Dr. Nho said it is probably just scar tissue, you know, without getting any sort of further imaging, that is what he said.

Again, those are the issues that I am having.

Lateral movements are painful for me. If I have to squat down low, like if I was going to pick up a heavy patient off the floor, that would probably be you know an issue at this point.

Q Did Dr. Nho tell you whether you're at what they call Maximum Medical Improvement yet following this surgery or do you have to wait longer for that?

A No, he hasn't disclosed that to me. I actually saw him yesterday and I am not pleased because he is not happy with Sports and Ortho my current physical therapy assignment. So what he's doing is he is transferring my physical therapy to Rush. I live on the south side so it is far away from here. So now starting December 9th I will be going to Rush Physical Therapy because he feels Sports and Ortho is got getting the progress that

he desires. So he thinks that Rush Physical
Therapy is going to get me back on track and then
maybe I can go back to Sports and Ortho for work
conditioning. But I have to go to Rush Physical
Therapy for at least a month and then I have to go
however long work conditioning is. Two or three
weeks after that. And then he says that my
abductor he has no idea when it is going to stop
hurting. There is like there's no light at the end
of this tunnel. Sometimes when I am just sitting
around it hurts so.

Q It sounds like, though, it is your desire to try to go get back, get it rehabilitated and to get back to work, though, is that your goal?

A Yes. I have been working hard. I go to therapy three times a week. You know. I have been working extremely hard but for some reason my body is not responding to the treatment, that is why he suggested I get a fresh set of eyes as far as physical therapy for me to see if they can do something different for me that my body would start responding to. I would love to go back to the job.

Q Since you went on layup as a result of this incident, have you engaged in any activity by

```
1
     which you earn income?
2
           Α
               No.
3
               Have you engaged in any sporting
           Q
     activities?
 4
5
           Α
               No.
 6
               Are you currently taking any pain
7
     medications prescribed by a physician?
8
           Α
               No.
9
               MR. PINELLI: Thank you, sir, that is all
     the questions I have.
10
11
               CHAIRMAN FORTUNA: Trustees, any
12
     questions?
13
               MEMBER MCPHILLIPS: None.
               MR. PINELLI: I call Dr. Peters.
14
15
                         (Witness previously sworn.)
16
                    MICHAEL I. PETERS, M.D.
17
     a witness herein, having been first duly sworn, was
18
     examined and testified as follows:
19
                          EXAMINATION
20
                       BY MR. PINELLI:
21
               Please, state your name.
           Q
               Michael I. Peters.
22
           Α
23
           Q
               You're a physician; is that correct?
24
           Α
               Yes.
```

1 Is a copy of your qualifications attached 2 to the Board Exhibits? 3 Yes, they are. Do you perform a function as a consultant 4 to this fund? 5 Yes, I do. 6 Α 7 In that capacity do you review medical 8 records, examine or interview applicants and report to the Board? 9 10 Α Yes. 11 Did you follow that procedure with Q 12 respect to Mr. Bey? 13 Yes, I did. Α 14 Did you file a written report with the Board that is marked as Board Exhibit 2? 15 16 Α Yes, I did. 17 Doctor, could you please just summarize 18 for us the current state of Mr. Bey's condition? 19 Mr. Bey underwent a right hip labral repair that was a result of the extrication from 20 21 the motor vehicle in September of 2019. And that 22 is a technically difficult surgical repair, that is 23 why he had such a long delay in having it done. the Chicago area there is probably a handful of 24

1 surgeons who can perform that procedure. 2 He's made very good recovery but he isn't 3 at MMI. He has quite a bit of pain and stiffness as well as decrease in range of motion, 4 5 specifically with lunging, due to the abductor muscle tightness. 6 7 Doctor, based on your knowledge, what would typically be a period for MMI following this 8 9 type of surgery, if there is a typical one? 10 I think he had a good prognosis for 11 recovery. Six months would probably be what would 12 be considered average but that doesn't mean that 13 everybody is better in six months and it doesn't 14 mean everybody has a full recovery. 15 He had a very large tear. It is 16 something that is not easily fixed. He has done 17 very well but he's not 100 percent. 18 Q Based upon the fact that he's not 100 percent, would he be able to perform his duties 19 with the Fire Department? 20 21 No, he wouldn't be able to do full fire Α

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

fighting duties, not at this time.

22

1	CHAIRMAN FORTUNA: Any questions for the
2	doctor?
3	MEMBER MCPHILLIPS: No questions.
4	CHAIRMAN FORTUNA: Hearing none.
5	MEMBER VALENCIA: Motion to grant.
6	MEMBER MARTIN: Second.
7	CHAIRMAN FORTUNA: There is a motion to
8	grant by Trustee Valencia. Seconded by Trustee
9	Martin.
10	Trustee Martin.
11	MEMBER MARTIN: Yes.
12	CHAIRMAN FORTUNA: Trustee
13	Conyears-Ervin.
14	MEMBER CONYEARS-ERVIN: Yes.
15	CHAIRMAN FORTUNA: Trustee McPhillips.
16	MEMBER McPHILLIPS: Yes.
17	CHAIRMAN FORTUNA: Trustee Murphy.
18	MEMBER MURPHY: Yes.
19	CHAIRMAN FORTUNA: Trustee Valencia.
20	MEMBER VALENCIA: Yes.
21	CHAIRMAN FORTUNA: And I am a yes.
22	MEMBER MARTIN: I'd like to make a motion
23	for reexam consistent with the Fund policy.
24	MEMBER MURPHY: Second.
24	MEMBER MURPHY: Second.

1	CHAIRMAN FORTUNA: Motion for reexam by
2	Trustee Martin. Seconded by Trustee Murphy.
3	Trustee Martin.
4	MEMBER MARTIN: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER McPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Valencia.
13	MEMBER VALENCIA: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	MEMBER MARTIN: I would like to make a
16	motion to adopt the Findings of Fact as presented
17	by Fund counsel.
18	MEMBER CONYEARS-ERVIN: Second.
19	CHAIRMAN FORTUNA: There is a motion by
20	Trustee Martin. Seconded by Trustee
21	Conyears-Ervin.
22	Trustee Martin.
23	MEMBER MARTIN: Yes.
24	CHAIRMAN FORTUNA: Trustee

1 Conyears-Ervin. 2 MEMBER CONYEARS-ERVIN: Yes. 3 CHAIRMAN FORTUNA: Trustee McPhillips. MEMBER McPHILLIPS: Yes. 4 5 CHAIRMAN FORTUNA: Trustee Murphy. MEMBER MURPHY: Yes. 6 7 CHAIRMAN FORTUNA: Trustee Valencia. MEMBER VALENCIA: Yes. 8 9 CHAIRMAN FORTUNA: And I am a yes. 10 Mr. Bey, based on the Findings of Fact 11 made by the Trustees, the Trustees have voted to 12 grant the benefit that you have requested. You 13 will be notified by mail of the Findings of Fact 14 and the Board's decision. 15 Thank you and good luck. 16 MR. BEY: Thank you. I appreciate it. 17 MEMBER MARTIN: I'd like to move back to 18 the regular order of business. Let's go to Item 6. I will turn it over to Steve to provide a little 19 bit of background on the auditor RFP process 20 21 to-date and who we are going to hear from today. 22 MR. SWANSON: Thank you, Mr. Secretary. 23 We are going to hear from two firms 24 today.

1 Marc, if you can get them into the 2 meeting, I would certainly appreciate that. 3 can also share your screen and have the presentation ready, that will be great as well. 4 5 We have two finalists from our RFP process that we conducted starting in the summer. 6 7 Mitchell Titus will be the first firm to present. Let me know, Marc, when you get them up. 8 9 The second firm will be Legacy Professionals. 10 MS. BURNS: Might I suggest respectfully 11 that we limit their presentation time to ten minutes. 12 13 MR. ADEGOKE: Good morning. 14 MR. SWANSON: Thank you for joining us. 15 We have six of our trustees present for your 16 presentation. We are glad you could make it today. 17 Sorry for the delay, our hearings took a little 18 longer than expected, but that is important business of the Fund. We have to get through that. 19 20 We ask if you can limit your remarks to 21 ten minutes today and then we can address any 22 questions the Trustees may have for you after that. 23 So if you would like to take it away your 24 presentation is up there and if you'd like to

1 introduce your team as well. Thank you.

MR. ADEGOKE: I want to thank you for inviting us to present our proposal. My name is Kenny Adegoke. I am Executive Director at Mitchell & Titus. I have with me today Garfield Carr, who is the other manager.

We provided a placemat, which is our way

OF presenting a proposal. It pretty much

summarizes the subject for discussion and we will

go through them quickly and then wait to answer any

questions that you may have.

I will start the presentation by giving a high level overview of our firm. Mitchell & Titus is the largest minority owned accounting firm in the country, with over approximately 120 professional staff. And we provide various accounting and audit services to various industries, which includes not-for-profit, government, corporations, financial institutions and employee benefits and trusts. Employee benefit audience is a big part of our services and represents over 30 percent of our total business.

We have four offices across the country, which includes Chicago, New York, Washington, D.C.

1 and Philadelphia.

About two years ago Mitchell & Titus

merged with Washington Pittman & McKeever, which is
a prominent accounting firm in the Chicago area,

which some of you may know, and that kind

solidified the presence of Mitchell & Titus in the

Chicago area.

For our history, Washington, Pittman & McKeever was founded by Mary T. Washington, who was the first female African American CPA in the country. We are very proud of that history at the firm.

We are a very diversified firm and we are committed to providing equal opportunity without regard to race, ethic background, religion or gender.

Our professional staff consists of 58

percent women and a total of 85 percent minorities

staff. We are MBE certified by the National

Minorities Supplier Diversity Council.

With respect to employee benefit plans, we have significant experience and we have provided services to a lot of firms both within Chicago and outside Chicago and other parts of the country.

Our current Chicagoland clients include
Chicago Transit Authority; CTA, the Policemen's
Annuity and Benefit Fund of Chicago and Chicago
Housing Authority.

There are several other plans that we have done in the past, that includes the RTA and the MPEA. Some of those that we have served in the past.

We are thankful for our business relationships that we have had with most of these clients and most of these clients we served for several years and providing good services to these clients.

Moving on to Page 2 of the document, to the left we highlight the value that we bring to your entity. We highlight some of the resources and what makes Mitchell & Titus unique as well as the overall audit approach and methodology.

With respect to the value that we bring, we believe that we have significant experience for managing these types of audit and customize to your plan. This will help us to provide you with first class professional services.

We always emphasize the communication in

our jobs and we work with our clients so that in the end there is no surprises. We also stick with the timeline. We hold frequent status calls to keep you abreast of what is going on and we coordinate and work with all the parties involved, which includes the other aspects of the operation and also including the actuarial consultants.

We utilize a risk base audit and at this point I will have Garfield speak to the overall approach and methodology. Garfield.

MR. CARR: Thank you, very much, Kenny.

We pretty much have a four-phase audit methodology. Phase 1, starting with the planning and risk identification, which is codeveloped general planning identification according to its significance. That is our first phase with regards to the audit. We start our preliminary evaluation.

Phase 2 deals with our strategy and assessment. That's understanding and evaluating the internal controls, identifying risk and related significant accounts and define the audit responses to address those risks.

Our internal control process will consist of inquiries, observations where at all possible,

it is a little bit challenging this year with Covid taking place. Just getting a general understanding of the policies and procedures as well as the internal controls that have been developed by the Fund to serve their members.

Phase 3 will consist of the execution, which is to develop and execute our tailored audit approach.

And Phase 4 will be our conclusion and our reporting, which represents the audit results, any required communications and any feedback that we may have with management, any members of the Board, in that fourth and final phase.

We primarily deal with these four phases but throughout these four phases it is an integrated ongoing approach and process of getting an understanding of the Fund, the controls inside of the Fund. How those controls are executed to mitigate or identify any risks of fraud or any internal control breakdowns or deficiencies which may exist or any observations that we may find and bring to the Fund's attention, which may enhance or improve the internal controls of the Fund.

That is the four phases that we deal with

respect to the audit and how we handle and deal with the audit.

In addition to that, you know, with respect to integration, the execution phase, obviously, we will be sending out confirmation as it evolves to all parties involved. That may be the investment coordinators who hold the investments, custody of the investments, as well as any other agencies that the Fund may deal with, with regard to contributions or benefit payments and things of that nature as well as to the actuaries to determine the valuation and look at that reasonableness of it. We also use our own actuaries, which we coordinate, to do an evaluation of the actuarial evaluation for its reasonableness.

That encompasses the four phases of the audit which we have so thank you. Thank you, Kenny.

MR. ADEGOKE: Thank you, Garfield. So at this point we would take any questions that you may have. Thank you. Hopefully, we didn't go over the ten minute limit, Steve.

CHAIRMAN FORTUNA: Trustees, any questions?

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1
               MEMBER CONYEARS-ERVIN:
                                       I just want to
2
     say good morning and I certainly can appreciate
 3
     that you are the largest minority firm and I also
     sit on the Police Pension Fund Board and I see that
 4
 5
     you also do work with them, CHA, several agencies
     within the City of Chicago so you do have
 6
 7
     familiarity with Chicago pension funds and its
     agencies.
8
 9
               MR. ADEGOKE: That's correct.
                                               Thank you.
10
     These are all our current clients. We appreciate
11
     the long-term relationships that we have with these
12
     clients.
13
               MEMBER CONYEARS-ERVIN:
                                       Thank you.
14
               CHAIRMAN FORTUNA: Thank you.
15
               MR. ADEGOKE: Thank you. Have a nice
16
     day.
17
               MR. SWANSON:
                             Thank you, Kenny and
18
     Garfield. We appreciate your time.
19
               MR. SWANSON: Marc, can we get Legacy
20
     now, please?
21
               MEMBER CONYEARS-ERVIN: Steve, did we get
22
     a diversity chart from this firm?
23
               MR. SWANSON: Yes, we did. We have the
24
     diversity chart in board pack. Marc, you can share
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1
     that. Which firm would you like to see, Ms.
2
     Treasurer?
 3
               MEMBER CONYEARS-ERVIN: The firm we are
 4
     on now.
 5
               MR. SWANSON: Marc, can you share that
     table, please?
 6
 7
               MEMBER CONYEARS-ERVIN: Thank you.
               MR. SWANSON: I believe we have Colin
8
9
     Thompson.
10
               MR. THOMPSON: I am here. Good morning,
11
     Steve.
12
               MR. SWANSON: Good morning. You have ten
13
     minutes for your presentation. Right now one of
     the trustees asked to look at your diversity chart
14
15
     and then Marc will share your screen for your
16
     presentation.
17
               MR. THOMPSON: Good morning. My name is
18
     Colin Thompson. I am the partner in charge of the
     Firemen's A & B audit from Legacy Professionals.
19
20
     Also with me here today is Tim Fagan, he is a
21
     concurring review partner.
22
               First of all, I just want to say thank
23
     you for the opportunity to present this proposal.
24
     We look forward to the possibility of continuing
```

providing services to the fund for the next five
years.

We did make it through a challenging 2019 fiscal year audit, with both the pandemic and a work from home order, a change in a significant service provider with your actuary, reinstatement of the health insurance supplement, not to mention that we also had a changeover of our internal audit software.

We did end up making it through the 2019 audit year and I feel that we had a very good product that we issued in conjunction with the Fund itself.

If you could turn to the first page of the slide, please, Marc.

Legacy Professionals. We provide audit, accounting, tax and other services to employee benefit plans, including government plans, non-profits and labor organizations. In fact, 90 percent of our firm's revenue comes from this client base so benefit funds are what we specialize in.

We are headquartered here, in
Westchester, Illinois. Actually, at 4 Westbrook

Corporate Center. We also have an office in

Minneapolis and another office in northwest Indiana

in Schereville. We service clients in 31 states.

We have 28 partners and professionals in the firm

and over 145 professionals.

The vast majority of those 28 partners and professionals of the firm started right out of college. It was their first job. Me being one of them. Tim was also one of those partners.

If you turn to the next page, please.

Legacy. We get our firm's name from our original firm of Thomas Havey, LLP, which was named after our firm's founder. Tom Havey founded his accounting firm here, in Chicago, in 1948 so we have been here forever. The firm is currently in its third generation of ownership and our homegrown recruits end up becoming the next generation of partners.

Tim and I would be referred to as the third generation and then say somebody that you might see later on in the presentation, those are the eventual owners of the firm as we hand it off to them.

The next page, please. Here's a little

- bio on me Colin Thompson. I have been involved at
 various capacities on the Firemen's A & B Fund
 audit for well over a decade.
- Government benefit funds are my

 specialty. I love doing government investment

 benefit funds. It sounds a little weird, but, yes,

 I enjoy it quite a bit. And, likewise, I graduated

 from U of I in 1998 and I started with Thomas Havey

 back then and I have been with the firm -- it has

 been my only job ever since.
- 11 Next slide, please.

- MR. FAGAN: Hi, everyone. I am Tim

 13 Fagan.
 - I wanted to start out by saying that we truly appreciate the opportunity that you have given to us today to talk about our firm and about ourselves.
 - Just some quick background on me. I have been at Legacy for about 16 years. As Colin said, I started at Legacy right out of college. I am considered one of the governmental experts at our firm. I have a lot of experience with the Firemen's Annuity and Benefit Fund. I have worked on that audit for almost that entire 16 years in

all different capacities. As a staff member, an in-charge, a manager, and now the concurring audit partner. With all that time, I am familiar with the Fund's staff, the third-parties that we need to work with in tandem to get the audit complete.

Just kind of the audit timeline in general and who needs what from who and when.

Next slide, please. Sally Bredberg was the manager on the audit this last year. Sally has been with Legacy for many years now. Her focus is working on employee benefit plans. She is highly skilled in that area. She worked very well with the Fund staff this past year and has developed a good rapport.

Just to get more specific on Sally, one thing in particular, she did an excellent job this past year taking the audit, which is typically done in the field or at the Fund office and converting that to a remote audit, obviously, as a result of the pandemic. She did a great job with that, without sacrificing any quality or efficiency.

Next slide, please.

MR. THOMPSON: Here is a quick summary of the services to be provided. We will perform an

audit of the Financial Statements for December 31, 2020 through 2024. The audit will conform to all other requirements of the Government Accounting Standard Board. All the GASB pronouncements. We may issue a manager recommendation letter, if necessary. We strive to coordinate and consult with the other Fund professionals. We do work hand in hand with the actuaries through all aspects of the engagement and of course with the Fund itself, which is vital to being able to perform an efficient and effective audit and be able to issue within the deadlines that we have.

We also present and attend the trustee meetings to present the annual financial report and we are able to respond to routine questions throughout the year.

We don't bill ever for various phone calls or questions. If something were to ever come up that would requiring billing, we would be upfront and come to an agreement prior to that. We always want to be transparent so you will never get any kind of surprise bill at any point.

We do encourage communication throughout the year. Things do come up. It's good to be able

to bounce it off your auditor. So kind of an ounce of prevention is worth a pound of cure is the way I look at it.

Next slide, please. Here's our staffing model. Our staffing model is more of a square than a triangle that a lot of other accounting firms have. We have a significant amount of time that you actually get from involvement at the manager and partner level, that be would be myself and Tim and Sally. So you see us higher level individuals a lot more than you see the staffing at lower level people.

That being said, obviously, we make every effort to schedule the same staff from year to year on the engagement.

Also, if there is any type of a change as requested or desired, sometimes clients may require or ask for personnel rotations for various reasons. We do have the capability to rotate or transition partners, managers or other staff on engagement.

Next slide, please.

MR. FAGAN: So I just want to cover kind of give you a brief rundown of what a typical audit entails.

The first half of any audit is to properly plan the audit and we do that using our experience from previous audit years that we have gained auditing the Fund. Also our history and our knowledge of the Fund.

We also then take in any -- we combine any new changes that are coming up. Such as new accounting practices or changes in the Fund's operations. Such as the reinstatement of the retiree health subsidy last year.

We take all of that information to help us to design effective audit procedures. Once a planning phase is done, we will reach out to the Fund staff and start coordinating the audit, the audit timeline, documents that we will need for our procedures and any pre-audit questions.

We will also come up with a date of when the fieldwork should start. Typically the audit fieldwork is done at the Fund office. Like I said earlier, this past year of the pandemic it was done remotely.

Once we do our audit fieldwork and complete that, then the audit goes through its multi-layer reviewed process, which includes the

manager review, the partner review, a second partner review and actually a third partner review which we refer to as the quality control review.

You can see based on that we put a lot of our resources into making sure that the Financial Statements and the audit are high quality and we want that so that you have accurate information to make your decisions off of.

Once the Financial Statements are issued, it is not like we go away and come back next year for the audit. We are available all year. We always have been and we have shown that ability. We are also very quick to respond to questions from the Fund staff, any audit related questions, or anything else we can help with. We take that very seriously. We want to be there to help. We want to be able to help there, get through any roadblocks that the Fund or Fund staff might be having.

MR. SWANSON: Tim, if I could interject just real quick. We appreciate your detailed approach. If we could maybe hit the highlights and wrap this up in the next couple of minutes between you and Colin we would certainly appreciate that.

1 MR. FAGAN: Sure thing. 2 Next slide, please. 3 MR. THOMPSON: Here's a partial client 4 listing. You can see some of our government 5 benefit plans that we audit. 6 I just wanted to point out here we also 7 do audit 350 employee benefit funds. Government 8 funds are one of those subsets so this is what we 9 do. This is our specialty. 10 Next slide, please. Here you can see 11 some of the references of service. Please, feel 12 free to reach out to these individuals if you want 13 to inquire as to the type of services we provide. 14 Next slide, please. This is the fee 15 proposal. I wanted to point out here the fees for 16 FY-20 and FY-21 are the same exact fee as for 17 FY-19. We remain at a flat fee for three years in 18 a row. '22, '23 and '24 we have an inflationary increases proposed of 3 percent. 19 20 Down on the bottom is our 2020 standard 21 hourly rates. If additional services are 22 requested, that would be our hourly billing rate 23 for those type of services.

24 To-date I don't actually recall ever

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1
     providing any kind of a bill for any type of hourly
 2
     services but if something is needed we are always
 3
     happy to help and we would come to some kind of
     agreement and those are some of the hourly rates
 4
 5
     you could see there.
               Next slide, please. So some unique
 6
7
     features of Legacy. We are always available.
     Please, feel free to contact myself, Tim, Sally,
8
 9
     anybody. We are always a phone call or email away.
10
     We would love to answer any questions.
11
               We have a niche focus, like I said,
     benefit funds are our specialty. This is what we
12
13
     do.
14
               I wanted to point out we are a local firm
15
     serving Chicago based clients. We have been here
16
     since 1948 so this is where we live. We have
17
     always been here and always foresee us being here.
18
               Next slide please. Why Legacy just to
19
     sum up here. We are here to meet your needs.
20
     have the experience and a great working
     relationship with the Fund to continue providing
21
22
     high quality audit services.
23
               Next slide, please. Comments?
24
     Questions? Would anybody like me to go through
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1
     anything in further detail? We are always happy to
2
     answer any questions you might have.
               MEMBER CONYEARS-ERVIN: I do have a
 3
 4
     question. I was listening to Tim speak and how he
 5
     mentioned that he started with the firm right out
     of college. And I thought about that great
 6
 7
     opportunity that he had and he's been with the firm
     I think he said for about 16 years now.
8
 9
               MR. FAGAN:
                           That's right.
               MEMBER CONYEARS-ERVIN: That is very
10
11
               I also thought about minority students
     awesome.
     coming from college that certainly would appreciate
12
13
     an opportunity such as that.
14
               I was looking at your diversity numbers
15
     and you all have been with the Fire Pension Fund
16
     for about 16 years, did you say, Colin?
17
               MR. THOMPSON: With the firm, I have been
18
     with the firm --
               TRUSTEE CONYEARS-ERVIN:
19
                                        No.
                                              Fire
     Pension Fund, how long you all have been with the
20
21
     Firemen's Pension Fund?
22
               MR. THOMPSON: I have been working on
23
     this particular audit I think 12 years I have been
24
     working on this audit.
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MEMBER CONYEARS-ERVIN: 12 years, okay. Can you talk to me about Legacy's diversity initiatives and hiring? Like you said you hired Tim from college and I am looking at the diversity numbers and I am a little concerned about it. think I was concerned about it before so we probably had this conversation. Can you refresh my memory?

MR. THOMPSON: We do take a very active approach to try and be a diversive and inclusive fund. We actually have a diversity inclusion seminar actually coming up here for a firm-wide presentation here in December just in a couple of weeks.

We actually also have just established a charitable organization, the Donna Hubert Memorial Scholarship Fund, which provides scholarships to women interested in pursuing careers in accounting. We just actually just established this charity back in 2019 and we just awarded our first scholarship in 2020.

Obviously, there are always challenges in staffing and in particular in the accounting field. We do attempt to do our best to have as diverse of

an employee base as possible. Recruiting and maintaining qualified individuals is particularly challenging in the accounting industry.

A few years ago they increased the time requirements to sit for a CPA to five years so it eliminated roughly half the accounting graduates on a yearly basis so we are constantly having all kinds of recruiting efforts and trying to adequately staff the firm with fresh recruits out of college.

If you know of anybody that wants to join in the accounting field, it is wide open. All the firms, we fight with each other to try to get a hold of good personnel. So, please, encourage anybody.

That is one of our main missions with our own charity fund is to try and get more women into the field also. It is challenging in recruiting.

Yes, I always encourage anybody to go into accounting. You will never want for a job.

They are there and you will have people beating your doors down to hire you.

MEMBER CONYEARS-ERVIN: That is interesting because -- I won't belabor this point

but for you all to have been with the Fire Pension

Fund for this number of years -- and I always ask

this question because there is employer and

employee contributions.

Employer contributions from the City of Chicago is primarily made up of taxpayer dollars.

Taxpayers that look like myself and Clerk Valencia that is on the line, for example.

And I am so very concerned of being a steward of taxpayer dollars when I see a firm come before us, especially having been doing business with us for 12 years, and I see these diversity numbers and sometimes I wonder if I am being a good steward of taxpayer dollars by doing business with firms such as this.

I have to just be honest with you and I struggle with that. So I know that there's -- I am not going to try to go through a tutorial on how to recruit more black and brown accountants. You know that there are accounting societies and organizations all throughout the State of Illinois.

I attend a Christmas party with black accountants each year because of my husband and there is a great number of people in that room that

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1
     I am sure can be resources for you.
                                           So I know that
2
     there is more aggressive things that can be done.
 3
               To be honest with you, when I see numbers
     like this, I say you have to be intentional.
 4
 5
               I appreciate the scholarship recipient
     for 2020. Unfortunately, in 2020, we're still
 6
 7
     hearing first ever, right? So there is still some
     work to be done but thank you.
8
9
               MR. THOMPSON:
                              Thank you.
10
               CHAIRMAN FORTUNA: I'd like to get
11
     staff's thoughts.
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               MR. SWANSON: First, we will get Marc to
     remove the presenters and then let us know.
13
14
               Thank you to Colin and Tim for presenting
15
     today.
16
               MR. THOMPSON: Thank you, everybody, for
17
     giving us the opportunity to present our services.
18
     As always we are open for any and all questions.
     Feel free to email or call or any type of contact
19
20
     whatsoever.
21
               CHAIRMAN FORTUNA:
                                  Thank you.
               MEMBER VALENCIA: Thank you, Treasurer,
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23
     for what you said. I just agree. I didn't have
24
     anything else to add eloquently. That was polite.
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               MEMBER CONYEARS-ERVIN:
                                        That took a lot
2
     of effort.
 3
               CHAIRMAN FORTUNA: Jackie, I am looking
 4
     for some input from you.
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               MEMBER MARTIN: I would like to mention I
     think Legacy has been incredibly helpful in many
 6
 7
     ways. I know that they have given a lot of
     themselves and have donated their audit services to
8
 9
     the Widow's and Children's Fund just as a note.
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               CHAIRMAN FORTUNA: Jackie, what is your
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     take on this?
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               MS. VLAHOS: I just think currently I
13
     kind of wish you had more time to do a RFP like
14
     maybe in a year or so. Just because currently we
15
     just switched from Segal and there was a lot of
16
     like bumps in the road because of being a brand new
17
     actuary and most likely during this year's audit we
18
     are going to be doing it remotely as well.
               I think it is something that maybe I feel
19
20
     now that we should maybe stay with Legacy and then
21
     maybe revisit this in a few years.
22
               MEMBER CONYEARS-ERVIN: In a few years?
23
               MS. VLAHOS: Or, I mean, whenever you
24
     suggest. I know we just did a RFP.
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Also a suggestion is maybe put some pressure on them to see where they go as far as Legacy in the next couple years.

Obviously, with auditing firms, they do hire new people every year. They have more than optimal time, even if you tell them a year or so, to make sure that they are reaching and meeting their efforts that they are saying that they are going to be doing.

Every year you have to have new staff.

It is a high turnover in the auditing industry and public accounting.

If you don't see the numbers changing, then you'd say what they were saying wasn't accurate.

I just think as of right now, even with Segal last year, due to the Covid stuff, it was very hard to get the audit complete and to also try to do training as far as our history, you know, the background of everything that is going on with our Fund since the beginning. It was a challenging year. It doesn't seem like that is going to be changing upcoming. If you have other suggestions?

CHAIRMAN FORTUNA: How do you want to do

this, Steve?

MR. SWANSON: Just to reflect on Jackie's comments. We do have a lot of respect for the work of Legacy. They clearly are a good firm. They do a lot of good work for our Fund.

Currently where we stand, with switching actuaries last year and the ongoing pandemic, having to work offsite for much of the audit would present a more challenging environment to get the audit done so that is why we do recommend retaining Legacy for a period of time.

Obviously, we did a RFP. We are asking for a proposal for five years. You can always sign a contract for a period shorter than that.

One thing on the pricing, both firms did the same price for the first two years so your price is the same in those first two years.

Whatever the Trustees think is best, we are prepared to work with.

MEMBER VALENCIA: I just want to speak

up, if I can. I didn't realize we were talking

about this. I thought there was another person for

some reason.

24 I do want to allow Trustee Holt and

Reshma to weigh in because they are not here on the call. I think it is important to hear their voices, too.

I would defer we do any action today or call a special meeting if we need to to vote on this contract because I want to make sure that they are also incorporated in this conversation.

I am going to just say a couple of things. Diversity inclusion is something that we have been talking about as a board since I have been on the board.

And I want to thank President Fortuna for really listening and hearing, and Steve, too. We brought on Lorna, which was really exciting to have a woman onboard. We have for the first time a real diverse board in terms of a forum of color from the City Trustees which is really exciting. We are really I think ahead of the game than other boards.

The notion that it's hard is not a good enough excuse for me. I get we're in a pandemic.

I get it's hard. I am masking up and going into my office. I am going in two or three days. My sellers are there. We are modernizing City Council during the pandemic. We are working with vendors

on a three to five million dollar project to
basically go digital during the pandemic.

I understand hard. I understand having to maybe think about coming into the office with the audit team. I understand it may take us a little longer but that is not a good enough reason for us not to give this new company, which is a certified minority owned company that has 42 years of experience of doing this work.

Now if we want to talk about keeping on who we currently have who has had 12 years with the Fund to work on diversity numbers and you're telling me that you are getting your first scholarship fund in 2020.

And not to mention, if you look at their female and male ratio, there are only five women at the top leadership in their executive team.

To me, they didn't even really have it promoted. I hear the same tired excuses of we are going to get there, we are going to get there, we are going to get there.

To what the treasurer said is being intentional about hiring is very important and I just didn't think that they showed that they were

going to be intentional. I don't have the patience to wait another 10 or 12 years to see if they get there.

So I am just calling on our board to be bold and to take a chance on a company that we haven't had to. I think it is healthy for us to expand and diversify our portfolio and who we give work to. If we're going to say it and we're going to talk about it, we have to actually do it.

It's hard and it is not easy. Sometimes you are disappointed but that's not a reason to give up on someone else in the next run.

So I just want to implore all of us to think about that. That for me it being a drain or hard is not a good enough excuse for me.

If they were a bit more expensive, if they didn't have a good record, you know, couldn't do the work, that to me gives me pause and I would agree with all of you to keep who we currently have, but that wasn't the case and that's not what I heard or read in the presentation.

MS. VLAHOS: Can I make one more comment?

The only other concern that happened, and
I don't know because I didn't talk with them Steve

did, but there was some kind of mixup with the

presentation. They had thought the presentation

was Friday, that is kind of my concern a little bit

with meeting our deadlines, but they never called

us. I am talking about Mitchell Titus. They never

called us. They never turned anything in.

When we reached out to them, we were like, hey, we kind of need your presentation.

Their response was we thought it was Friday. It was like a little bit concerning that we didn't hear from anybody if you thought it was Friday or received anything or reached out to us.

So it made me kind of feel like do they want our business? I mean Steve can talk a little bit more, he is the one that spoke to them about it.

MEMBER MARTIN: Steve.

MR. SWANSON: There was a little bit of confusion. But, grant it, I mean, maybe that was me not being clear enough with them. I don't want to use it necessarily as a determining factor in this meeting.

MEMBER MARTIN: Anna, just a recommendation. I mean, I not only respect you, I

respect your opinion and your desire to include

Trustee Holt and Trustee Soni in the discussion,

but I do think that staff makes an excellent point

with respect to we have had a lot of turnover with

respect to not only staff but we have had a pretty

significant turnover with respect to our actuary.

And our actuary and our auditor have to work with

our staff to provide the level of service and

information that we need as a fund.

I would just recommend that maybe for a period of a year or two years, because we don't have to go out five years, just in terms of symmetry with everything that is going on, that maybe extend the contract for a period of two years so staff has the ability to more fully implement the relationship with Segal and that way going forward when we change auditors, if that is desired, at least you are not changing everything within the context of like one year which could be more difficult than necessary and the Fund could still pursue its diversity objectives.

MEMBER CONYEARS-ERVIN: Let me say this, and I can appreciate that, trustee, but who is to say that I will be here in a year or the clerk will

be here in a year or Annette. Who knows what
changes may occur, right.

MEMBER MARTIN: Myself in two weeks.

MEMBER CONYEARS-ERVIN: There you go.

Changes happen all the time. I think that saying wait a year or two even to me it continues to push the can down the road and just not face the real issue at-hand.

I will give an example right now. I am preparing for the City's CAFR and I had to change my Director of Accounting at the most uncomfortable time when I am getting ready to pay for CAFR but what do I do? I just have to role with the change and play the hand that I have been dealt.

I think that we have a very competent staff at the Fire Pension Fund, very. We are talking about a firm that has been in business over 40 years that not only works with another pension fund but works with other City agencies.

Yeah, might it be uncomfortable, maybe so for this first year. It is a pandemic. Probably no matter who you work with is going to be uncomfortable. It is a pandemic.

I think that if we continue to say, well,

let's make it easier for the staff and let's revisit it in a year on two when we don't know who is going to be on the board in a year or two.

Just thinking about the beneficiaries, the annuitants, taxpayers, I just think it is the right thing to do.

If we do need to wait, I am willing to do that a month, next month, you know, for the other members but I just want us to understand that we have a very competent staff. I am not at all worried about being uncomfortable.

MEMBER MARTIN: It is not only competent.

And believe me I applaud everybody for their

efforts during this pandemic. Not only the staff,

but the trustees. But we also have to note the

fact that we have one of the smallest staffs of all

of the funds and that we are putting this on them,

you know, additional work because of all of the

changes in this difficult environment.

I would be comfortable with a year for Legacy. That way we can still develop and make things easier between Legacy and Segal and our staff because that is a lot to put on staff just in one year. And just in my discussions with staff,

1 | it was a big issue with our staff.

I will follow the direction of the Board and respect the Board's opinion. I am ready to go a shorter period of time, if that is what is believed, if necessary. Whatever the Board decides, I am in favor of.

MEMBER VALENCIA: I am in favor of not a year. I can see like a six month transition time. I am not willing to vote for a year. I could see six months and then be willing. I applaud the staff but at this point we are the trustees of the board, too.

MEMBER MARTIN: I agree. Maybe that gives Legacy an additional six months to further be proactive in their diversity --

MEMBER VALENCIA: At that point it won't matter because we are going on to a new vendor so I could care less.

My thought of a six month runway was when I am transitioning to a new vendor from an old vendor so I am signing an extended contract with my old vendor so there is no gap in services.

So if we are extending the contract to insure that we bring on and we can transition

smoothly and there is no gaps and there is no gap

for Jackie or Steve or the team, I am fine with

that. But I think a year, that's not necessary.

mean, if we're not able to get this work done -- I

mean, you would all hate to work in the City

Clerk's office because I got people doing three or

four jobs for like no pay.

I think it is reasonable if you want to do a six month kind of a gap contract to help transition, but I definitely don't think it needs to be a year.

MR. SWANSON: Jackie, if I may, six months, if we did January through June 30th, that would get us through the 2020 financials that we are talking about, correct?

MS. VLAHOS: It should. I want to say this isn't really what I was trying to explain my concern is. It is not the fact it is going to make it harder for our jobs. I am just a little bit concerned that if it was so difficult to get the presentation -- and I guess we could see I guess how Police handles it. I know they have them already for a client.

We are already in a pandemic. What I am

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1
     saying, when the presentation was very difficult to
2
     get a hold of someone and have them return our
 3
     calls to get the presentation, I am a little
     concerned with them meeting a deadline during a
 4
 5
     pandemic. I know the City needs our financials
     usually by May, that was my concern.
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 7
               MR. SWANSON: Back to my point, a six
8
     month extension with this auditing firm --
 9
               MS. VLAHOS: Yes.
10
               MR. SWANSON: -- would get us January
11
     through June so that would get us through our next
     audit which is the immediate concern.
12
13
               MS. VLAHOS: Yes.
14
               MEMBER MARTIN: Then you can revisit it.
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               MR. SWANSON: Then it can be revisited
16
     after that.
17
               MEMBER MCPHILLIPS: When does Legacy's
18
     contract end?
               MR. SWANSON: We currently don't have
19
20
     one. We have been operating year to year since I
21
     have been here so we sign an engagement letter
22
     every year with them.
23
               MEMBER MCPHILLIPS: This contract that we
24
     are talking about now is for the 2020 Financial
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1 Statements? 2 MR. SWANSON: Yes, sir. 3 MEMBER MCPHILLIPS: Okay. Very briefly, if I can add my comments. 4 5 Since I have been here, I was first elected I guess six years ago almost, Legacy has 6 7 been our auditor. They have been here for 12 8 years. 9 Federal law calls for public companies to 10 transition lead auditors every five years. I think 11 it is time for someone new. 12 I don't care quite as much about the 13 diversity. No offense to the people that do care 14 about it. My primary concern is are they 15 qualified. 16 I didn't see too many questions about how 17 much of the staff has CPA licenses. Has internal 18 auditing certifications. How long they have been with the firm. Those are kind of more important 19 20 questions to me. 21 The issue of Segal being new and now we 22 have possibly Mitchell Titus I mean they are 23 professionals. They are just going to have to deal with it. 24

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               I say it is time to bite the bullet.
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     Start with the new auditor and make a motion to
     give Mitchell Titus the contract for at least two
 3
     years and see how they do. That's how I feel about
 4
 5
     it.
               Just to remind me, Mary Pat, we need five
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 7
     trustees to vote in order to expend fund resources?
     In order to grant this, we would need five
8
 9
     trustees?
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               MS. BURNS: Yes, sir.
11
               I remind you of the Clerk's request that
     this matter be continued until December in order to
12
13
     allow Trustee Holt and Trustee Soni to weigh in or
14
     to do it by special meeting.
15
               MEMBER MCPHILLIPS: If we have the five
16
     votes, we could just move on.
17
               MEMBER MARTIN: I don't know if there is
18
     five. Can I make a motion to defer it until
     December until you have your five trustees?
19
20
               CHAIRMAN FORTUNA: Hold on here because
21
     we do have a recommendation to defer from Trustee
22
     Valencia.
23
               MEMBER CONYEARS-ERVIN: I think she made
24
     that recommendation with the thought that maybe
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1 that it was truly being pushed that we do not make 2 a change. 3 If we do go with that recommendation, if that is what we want for six months, I would like 4 5 to vote on six months with the current -- not revisit but I mean going --6 7 MEMBER VALENCIA: With Mitchell Titus. 8 agree. A two year contract like Trustee McPhillips 9 said and then we can revisit it with a new board. 10 If you feel they weren't able to do what you guys 11 needed to do in the two-year term, then you can 12 take it up on whether you review or not. 13 I think it is better to do shorter 14 contracts in today's world so you can keep an 15 update on competitive prices and competitive 16 output. That is what we are doing at the City is 17 shorter contracts. 18 CHAIRMAN FORTUNA: Okay. Mary Pat, help me with the motion on this. 19 20 MEMBER MCPHILLIPS: Before they make the 21 motion can I ask a question? Anna, are you 22 suggesting that we give Legacy a six month 23 extension and then move on to Mitchell Titus?

MEMBER VALENCIA: Yes. I think to hear

24

what the other trustees concerns were and the staff
making sure there were no gaps in what was
happening there would be a six month transition
time on to a new company.

If you don't feel comfortable with that and you just want to go straight with a new contract, I'm okay with that too, and just go to a straight two-year contract. I was just trying to be compassionate for the staff.

MEMBER MCPHILLIPS: I get it, yes. Here is my concern with that, I think we need to be cautious. Then we're looking at two separate contracts and how do they look? Is Legacy going to say, hey, we're going to do a majority of the audit work for 2020 and then come June Mitchell Titus says, well, you know, sorry this is what our contract terms are going to be and then the Fund ends up spending substantially more resources for the same service.

MS. BURNS: It is more of a risk profile that you need to be concerned about because of needing to get a responsible party who is responsible for the audit.

Perhaps the motion that the Board could

1 consider is a motion to enter into a two-year 2 contract with Mitchell Titus subject to contract 3 terms starting on July 1, 2021 and continuing through June 30, 2023. And the effects of that 4 5 would be that they would takeover after completion of the 2020 Financial Statements are done. And we 6 7 would just go back to Legacy, as I understand it, that just has an engagement letter with the Fund, 8 9 that ends when? 10 MR. SWANSON: It would have run through 11 the presentation of the financials. I can double check it. 12 13 MS. BURNS: They are already in place and 14 will complete the 2020 Financial Statements, which 15 are due by June 30th. 16 This would be a motion to get Mitchell 17 Titus starting July 1st for the next year's audit 18 and give them notice in the next six months to help smooth the transition. Maybe they could look over 19 Legacy's shoulder, maybe Legacy could help them, so 20

MEMBER VALENCIA: They would do the following year's audit?

that they are ready to go on July 1st.

MS. BURNS: Yes, ma'am.

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1 MEMBER VALENCIA: Legacy would closeout 2 so there was no disruption, basically, and then we 3 would then pickup with the new company in July. MS. BURNS: Yes, ma'am. What I am 4 5 hearing is Legacy's existing agreement contemplates that they would do the 2020 Financial Statements 6 7 that are due in June. MEMBER VALENCIA: That would help staff 8 9 not have a disruption. They can smooth that out 10 and then we'll start anew with a new company. 11 MS. BURNS: It also gives a chance for a smooth transition between the two firms, too. 12 13 can sort out what is happening. 14 MEMBER MCPHILLIPS: Contractually Legacy 15 is already going to do the 2020 financials, Steve? 16 MR. SWANSON: I'm sorry, I was not clear 17 on that. We signed the agreement for them to work 18 through June 30th of I believe 2020 to do the 2019 financials. So the timing of it is they did work 19 into 2020 on our financials which was for fiscal 20 year 2019. 21 22 We hadn't agreed with anyone to do fiscal 23 year 2020 as of right now. Correct me if I am 24 wrong, Jackie.

1 MS. VLAHOS: No. Usually the engagement 2 letter is usually signed some time in January for 3 the upcoming audit. MS. BURNS: Based on that, you could 4 5 really get Mitchell Titus in January, 2021 or have 6 two agreements. One with Legacy that would end on 7 June 30, 2021 and Mitchell Titus will start as we said or just have one contract that would go into 8 9 place January 1st with Mitchell Titus. 10 CHAIRMAN FORTUNA: How would the motion 11 read? 12 MS. BURNS: Let me know what the trustees 13 think they are comfortable doing. Would they like 14 getting Trustee Holt and Trustee Soni to weigh in 15 on this? If that is still an issue, we can put 16 this over until December. 17 The second option for the Board is to 18 approve Mitchell Titus starting January 1, 2021 and they would have a two-year term. 19 The third would be as I said to give 20 Legacy one more year and then Mitchell Titus two 21 22 years. 23 MEMBER CONYEARS-ERVIN: Tim's point I 24 think though was, if we had both, if we had Legacy

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     so now we would have to go back and ask Legacy to
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     give us a contract for six months, basically?
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               MS. BURNS: Yes. I am sure I can get
     that done.
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               MEMBER CONYEARS-ERVIN: We could vote on
     that now, but if you can't get it then we have to
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 7
     revisit that anyway in a month, right?
               MS. BURNS: Yes, ma'am. I am sure they
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9
     would do it.
               MEMBER CONYEARS-ERVIN: You are sure they
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11
     would or would not?
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               MS. BURNS: Would. Legacy would want to
     complete the audit I am sure to remain on good
13
     terms with you.
14
15
               MEMBER CONYEARS-ERVIN: Okay. Tim, does
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     that answer your question?
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               MEMBER MCPHILLIPS: It does. I would
18
     prefer not to kind of split the contract up. I
     think for 2020 it should go to either Legacy and
19
20
     they are going to finish or it should go to
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     Mitchell Titus.
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               To clarify the previous comments, Legacy
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     is ending on good terms with us, if we go with
24
     Mitchell Titus. I thought they have done a great
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1 job. 2 My concern is, as somebody that has done 3 auditing, 12 years with the same firm is a little too long. I would like some rotation. I think 4 5 that is prudent and it's good business practice. I am a little concerned I am hearing 6 7 maybe there is some concern Mitchell Titus might 8 not be up to the task. We have to address that and 9 be very clear that they are up to the task and that 10 we are going to give them the contract, if that is 11 the route we decide to go. 12 I don't want them needing help from the 13 previous auditor. There is directly a handoff between auditors. But they don't need any help, 14 15 they are professionals. They are certified CPA's. 16 MS. BURNS: That's correct. 17 MEMBER CONYEARS-ERVIN: I haven't heard 18 that they needed help. I haven't heard that there's a concern with their performance. 19 20 MEMBER MCPHILLIPS: You are right, they 21 are not saying that they are needing help.

MEMBER VALENCIA: Staff is saying that.

MEMBER MCPHILLIPS: Two issues came up.

You are right, they did not say that they needed

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help.

Segal is our new auditor and we have this pandemic so logistically it might not be a good time. My argument to that is either they are professionals or they are not. I think they presented themselves as professionals and that I would just move forward on this.

MEMBER VALENCIA: If that is the case, from your perspective, Tim, I mean I think you shined a light on something since you have done this before, it sounds like we should just go ahead and do the two-year agreement with Mitchell Titus in January because you think they can just hit the ground running.

I don't have this expertise but I was going for six months for staff purposes. But I am fine with just voting, if we have the vote today, voting for the January, 2021 contract and giving them a two-year agreement and calling it a day.

If we don't have the vote today, then I do want to go into December because I do think that the other two trustees will want to hear this and have some words to say on it.

MEMBER MCPHILLIPS: I think that is my

1 | point right on the head.

over again.

Just to clarify a little bit, I

understand Jackie's concern because when you get a

new auditor that burden is going to fall on her and

the staff. I have been in that situation. You get

a new auditor, you need to explain everything all

But I like the idea of a new auditor coming in and asking questions for the first time.

Looking under the covers and doing things differently. It keeps everyone on their toes.

MEMBER VALENCIA: Agreed.

CHAIRMAN FORTUNA: Is there a motion to defer to December?

MS. BURNS: With all due respect, sir, I think the motion, and maybe we can do a straw poll, would be if there is support for a motion to enter into a contract with Mitchell Titus for the period January 1, 2021 through December 31, 2023 subject to contract negotiations.

If the trustees would be willing to just sort of indicate whether they thought they could be in agreement with that, we would be able to assess whether we need to defer this matter or not.

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1
               Sir, would you be able to vote for a
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     motion like that?
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               CHAIRMAN FORTUNA: Yes.
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               MS. BURNS: Trustee Murphy?
               MEMBER MURPHY: Yes.
 5
               MS. BURNS: I think you have the
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7
     requisite numbers of votes. Would you entertain a
8
     motion to enter into a contract with Mitchell Titus
9
     for the period January 1, 2021 through December 31,
10
     2023 subject to contract negotiations?
11
               CHAIRMAN FORTUNA: So that is the motion.
12
               MS. BURNS: Trustee Valencia, would you
13
     like to make that motion?
14
               MEMBER VALENCIA: Yes, I will make the
15
     motion.
               MEMBER MCPHILLIPS: Just to be clear,
16
17
     that is for two years I think you just stated,
18
     right?
19
               MS. BURNS: Two years, sir, that is what
     the motion was. I'm sorry, through December 31,
20
21
     2022. Thank you.
22
               MEMBER CONYEARS-ERVIN: I will second
23
     that motion.
24
               CHAIRMAN FORTUNA: There is a motion by
```

```
1
     Trustee Valencia. Seconded by Trustee Conyears
2
     Ervin.
 3
               Trustee Martin.
               MEMBER MARTIN: Yes.
 4
               CHAIRMAN FORTUNA: Trustee
 5
 6
     Conyears-Ervin.
 7
               MEMBER CONYEARS-ERVIN: Yes.
8
               CHAIRMAN FORTUNA: Trustee McPhillips.
9
               MEMBER McPHILLIPS: Yes.
10
               CHAIRMAN FORTUNA: Trustee Murphy.
11
               MEMBER MURPHY: Yes.
12
               CHAIRMAN FORTUNA: Trustee Valencia.
13
               MEMBER VALENCIA: Yes.
14
               CHAIRMAN FORTUNA: And I am a yes.
15
               Motion carries. Thank you.
16
               MEMBER MARTIN: Moving to Item 7,
     Investments. I will turn this over to Lorna who
17
18
     will walk us through the investment agenda.
19
               MS. SCOTT: Given the time, I thought I
20
     would go right to the action item which is Item
21
     7-C.
22
               I will move the MWDBE Broker Utilization
23
     report to December.
24
               Marc, if you can share the screen for the
```

November cash needs and then I will turn it over to Jackie.

MS. VLAHOS: As you can see for November our balance, with a combination of Chase and Fidelity, is approximately 5.1 million dollars.

The next line where you see the surplus with Northern Trust of 14.1, this basically represents that in August we had excess tax receipts and with the discussion with our CIO Lorna we decided that we were going to take the extra 25 million dollars and transfer it into Northern to try to achieve a higher interest rate return until we needed the money.

So from the 25 million dollars we transferred from Northern, in September, we had transferred 4 million of that 25 to cover our benefits and also in October we had transferred 6.9 million to help cover our monthly benefits.

Leaving us with a balance still sitting in Northern of 14.1 million dollars. Our subtotal for cash is going to be the 19.2 million dollars. We're still anticipating an additional 1.85 million dollars of salary contributions before the end of month before we have to pay our benefits. Bringing

us available cash of 21 million dollars.

The next line you are going to see are our estimated amount for our benefit checks as well as outstanding checks, our Death Benefits we are paying this Fund, the Refunds and then our current office payables. Bringing us to anticipated expenditures for November of 32.755 million dollars. Leaving us with a shortage where we are going to have to get additional funds from our investment managers of a negative 11.7 million dollars in deficits that we are going to cover.

If you want to go to the next slide, the next slide shows our cash projections showing that, if you go over to the right-hand side, it shows that beginning balance of cash of 5.1 million dollars. The transfer from the STIFF that we still had sitting from the excess tax receipts of 14.1 and as well as we are going to require 11.9 million dollars from our managers in order to cover our benefits, which is leaving us a balance then in our Chase account of approximately \$243,000.

I just want to draw to your attention in November, if you look over to the left, the average tax receipts for December is approximately 7.2

1 million dollars.

Now that is going to fluctuate because sometimes that is the amount that is actually still owed to us by the end of the year. However, a lot of times their reconciliation that we receive from the City, we usually get some of this money more towards the end of January.

Our drawdown for December is going to be anywhere between 19.8 million to probably approximately 25 million, depending on how much we actually receive by the end of the year. Or, obviously, some of that tax receipts might carry over into that January month. Lorna.

MS. SCOTT: If you go to the rebalancing template.

MEMBER MARTIN: Do we need a motion right now to draw down 11.7 million?

MS. SCOTT: Not yet. Let me go to the rebalancing template. This first column shows the allocation as of November 13th. At the bottom of the first column, you can see Northern cash you have 18.2 million. Jackie needs about 25.8 million from that Chase account. What we need to do is raise 9 million dollars.

1 Looking at that second column in yellow, 2 we propose raising the cash from the Fund's large 3 cap gross managers and your core manager. 4 The plan is to take 3 million from Logan, 5 3 million from Brown Advisory and 3 million from Rhumbline. 6 7 We will then transfer 25.8 million to Chase and that leaves us with 1.4 million at 8 9 Northern. 10 Looking at that last column, the 11 variance, that shows the difference versus the 12 policy target after the cash withdrawal. Looking 13 at our asset allocation, we remain very close to 14 target allocated in private equity and that is 15 offset by an over allocation to U.S. equity 16 primarily in small cap. We generally are on 17 target. 18 Now I am looking for a motion to raise up to 9 million dollars as indicated. 19 MEMBER MARTIN: I will make that motion 20 consistent with the recommendation of the CIO to 21 liquidate up to 9 million dollars. 22 23 MEMBER McPHILLIPS: Second. CHAIRMAN FORTUNA: Motion by Trustee 24

1	Martin. Seconded by Trustee McPhillips.						
2	Trustee Martin.						
3	MEMBER MARTIN: Yes.						
4	CHAIRMAN FORTUNA: Trustee						
5	Conyears-Ervin.						
6	MEMBER CONYEARS-ERVIN: Yes.						
7	CHAIRMAN FORTUNA: Trustee McPhillips.						
8	MEMBER McPHILLIPS: Yes.						
9	CHAIRMAN FORTUNA: Trustee Murphy.						
10	MEMBER MURPHY: Yes.						
11	CHAIRMAN FORTUNA: Trustee Valencia.						
12	MEMBER VALENCIA: Yes.						
13	CHAIRMAN FORTUNA: And I am a yes.						
14	Motion carries.						
15	MS. SCOTT: That concludes the action						
16	items in the Investment portion.						
17	We will move the MWDBE Broker Utilization						
18	until next month. We leave the performance reports						
19	for self-study and pickup more performance						
20	information next month as well.						
21	MEMBER MARTIN: Thanks, Lorna.						
22	CHAIRMAN FORTUNA: Thank you.						
23	MEMBER MARTIN: Mary Pat, do we move to						
24	Legal Update?						

1 MS. BURNS: There really is nothing in 2 the Legal Update. All we really need to do is the 3 Gift Fund before we lose Trustee Conyears-Ervin, if that is alright with you, Trustee Martin. 4 5 MEMBER MARTIN: That would be wonderful. We can move on to Item 11. As always we have 6 7 prepared materials for the Board's review outlining the recommendation for a payment from the Gift Fund 8 9 to the EMWQ Retirees, Widows and Children 10 Assistance Fund. 11 We'd like to get this payment approved 12 today so we can make sure that the Widows and 13 Children Assistant Fund can make the payments to 14 the Widows and Children prior to the holiday. 15 Any questions? Any discussions? 16 I would like to get the amount from 17 Jackie for the amount of the transfer, if there 18 needs to be one. We are going to send out approximately \$530,000 this year. 19 MS. BURNS: Steve, will update that. 20 21 Just so the trustees are comfortable, the 22 material is set forth in your Board portal laying 23 out all the money needed and where it is going. 24 CHAIRMAN FORTUNA: Do you want an amount

```
1
     right now?
2
               MR. SWANSON: We have that in the
 3
     resolution that Mary Pat referenced. The amount of
     the transfer is $319,000, with a total distribution
 4
     of $530,000. The balance comes from the EMWQ Gift
 5
     Fund, which raises money throughout the year, which
 6
 7
     is largely due to the efforts of our Fund's
8
     Secretary Trustee Martin.
                                  Thank you.
 9
               CHAIRMAN FORTUNA:
10
               MEMBER CONYEARS-ERVIN:
                                        Thank you,
11
     Trustee Martin.
12
               CHAIRMAN FORTUNA:
                                  Trustee Martin, will
13
     you make that motion then?
14
               MEMBER MARTIN: I make that motion.
15
               MEMBER MURPHY: Second.
16
               CHAIRMAN FORTUNA: Motion by Trustee
17
     Martin. Second by Trustee Murphy.
18
               Trustee Martin.
19
               MEMBER MARTIN: Yes.
20
               CHAIRMAN FORTUNA: Trustee
21
     Conyears-Ervin.
22
               MEMBER CONYEARS-ERVIN: Yes.
23
               CHAIRMAN FORTUNA: Trustee McPhillips.
               MEMBER McPHILLIPS: Yes.
24
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1 CHAIRMAN FORTUNA: Trustee Murphy. 2 MEMBER MURPHY: Yes. 3 CHAIRMAN FORTUNA: Trustee Valencia. MEMBER VALENCIA: Yes. 4 5 CHAIRMAN FORTUNA: And I am a yes. 6 MEMBER MARTIN: Item 12, motion to 7 adjourn. MEMBER McPHILLIPS: Second. 8 9 CHAIRMAN FORTUNA: Motion to adjourn. All in favor? 10 11 (Chorus of ayes.) 12 CHAIRMAN FORTUNA: Opposed? 13 Hearing none, motion carries. 14 Everyone have a great Thanksgiving. 15 MEMBER VALENCIA: Trustee Martin, I just 16 wanted to say before you left thank you for your 17 service and thank you for being a friend and ally 18 on the Board. When I first came on the Board, you were 19 20 very helpful in explaining things to me. You got me involved in orphan and widows work and always 21 invited me out to the firehouse to meet the wives 22 23 and the children so I really cherished those 24 moments and I appreciate you and I wish you well in

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1
     whatever you do next.
 2
               MEMBER MARTIN: I'd like to say thank
     you. That is all I can say, thank you.
 3
 4
 5
                (WHICH WERE ALL THE PROCEEDINGS
 6
                IN THE ABOVE-ENTITLED MEETING
 7
               AT THIS DATE AND TIME.)
 8
 9
10
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1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	<u>Debbis Tyrell</u> DEBBIE TYRELL, CSR
18	License No. 084-001078
19	
20	
21	
22	
23	
24	

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(630) 292-1742

1	BEFORE
2	THE RETIREMENT BOARD
3	FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
4	
5	
6	
7	IN THE MATTER OF)
8	REGULAR MEETING NO. 1081)
9	
10	STENOGRAPHIC REPORT OF PROCEEDINGS had at
11	the video conference meeting of the above-entitled
12	matter, held at 20 South Clark Street, Suite 300,
13	in the City of Chicago, County of Cook, State of
14	Illinois, on Wednesday, December 16, 2020,
15	commencing at the hour of 8:30 a.m.
16	
17	
18	
19	
20	
21	
22	
23	
24	

1	APPEARANCES
2	BOARD MEMBERS:
3	DANIEL FORTUNA, President and
4	Annuitant Trustee
5	ROBERT TEBBENS, Active Trustee
6	WILLIAM MURPHY, Secretary and Active Trustee
7	TIMOTHY McPHILLIPS, Active Trustee
8	MELISSA CONYEARS-ERVIN, City Treasurer
9	ANNA VALENCIA, City Clerk
10	RESHMA SONI, City Comptroller
11	ANNETTE NANCE-HOLT, Active Trustee
12	ATTORNEYS FOR THE BOARD:
13 14	BURKE, BURNS AND PINELLI, LTD. BY: MS. MARY PATRICIA BURNS MR. VINCENT PINELLI
15	ALSO PRESENT:
16	LORI LUND, Deputy Director STEVEN R. SWANSON, Executive Director
17	LORNA SCOTT, Chief Investment Officer JACLYN VLAHOS, Comptroller
18	MARC TORRES, IT Analyst MARK MYSLINSKI, City Treasurer's Office
19	DANIEL G. SAMO, M.D., Board Physician MICHAEL I. PETERS, M.D., Board Physician
20	miomma 1. Iaiano, m.s., soura impororan
21	
22	
23	
24	

1	MS. BURNS: At the request of the
2	President, I am going to take the roll.
3	Trustee Tebbens.
4	MEMBER TEBBENS: Here.
5	MS. BURNS: Trustee Murphy.
6	MEMBER MURPHY: Here.
7	MS. BURNS: Trustee McPhillips.
8	MEMBER MCPHILLIPS: I am here.
9	MS. BURNS: Trustee Soni.
10	MEMBER SONI: Here.
11	MS. BURNS: Trustee Conyears-Ervin.
12	MEMBER CONYEARS-ERVIN: Good morning.
13	Here.
14	MS. BURNS: Trustee Holt.
15	MEMBER NANCE-HOLT: Present.
16	MS. BURNS: Trustee Valencia.
17	MEMBER VALENCIA: Present.
18	MS. BURNS: President Fortuna.
19	CHAIRMAN FORTUNA: Here.
20	MS. BURNS: Sir, you have a quorum.
21	CHAIRMAN FORTUNA: Thank you, very much.
22	We are going to start the meeting here on
23	December 16th at 8:32.
24	For the president's opening remarks, as I

have to do at every meeting now, Public Act

101-0640 allows this meeting to be conducted by

audio and video. The Act requires a roll call vote

on each matter acted on.

Further, consistent with the Public Act 101-0640 for the record I am physically present at the Fund's office as is Fund counsel.

We are proceeding by video conference because we continue to believe that due to the pandemic it is prudent not to be physically present in the same space.

We have posted a notice of this meeting in accordance with the Open Meetings Act and the meeting is being recorded. The transcript will be provided after approval and will be made available on the Fund website.

Moving on to public comments. 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 matters within its jurisdiction.

So are there any requests for public

1 comment out there? 2 Hearing none, we will be moving on. 3 Before I get started, I want to take a minute to remember one of our members, Lieutenant 4 5 Dwain Williams, who recently lost his life to violence. Our thoughts and prayers go out to the 6 7 family and their colleagues, guys, that were friends of his. 8 9 At this time of the year I think it's 10 important that we, as trustees of this Fund, 11 remember all of the sacrifices certainly big and 12 small that are made every day by our members. 13 let's keep his family in our prayers. 14 MEMBER CONYEARS-ERVIN: Amen. 15 CHAIRMAN FORTUNA: Thank you. 16 First order of business, we are going to 17 handle the elections of officers. As you all know 18 under the Pension Code, we are required at our December meeting to elect officers for next year. 19 20 Does anybody have a motion? 21 MEMBER NANCE-HOLT: Yes. Good morning, 22 Trustee Nance-Holt. 23 I would like to make a motion to elect 24 Dan Fortuna as our President.

1 CHAIRMAN FORTUNA: There is a motion by 2 Annette Holt. Is there a second? MEMBER VALENCIA: Second. 3 CHAIRMAN FORTUNA: There is a second. 4 5 Again, I have to go through the roll call. 6 MEMBER MCPHILLIPS: Actually, on the 7 question, Dan. 8 CHAIRMAN FORTUNA: Go ahead. 9 MEMBER MCPHILLIPS: I don't want to make 10 another motion and have two competing motions, but 11 I would like to consider maybe Anna Valencia for President. 12 13 I was really impressed, Anna, with your 14 recent article in the Sun Times talking for a new 15 generation of leaders. 16 Dan, you know, you have been on the job 17 for about three years as President. I think a 18 young woman taking over the role, especially someone that has been the City Clerk, would be 19 20 ideal. And I would like to maybe have some of the trustees consider someone new, someone like Anna 21 22 Valencia. Any comments on that? 23 MEMBER VALENCIA: Thank you, very much, 24 Trustee McPhillips. I really appreciate your

support and encouragement.

At this time, though, I would like to support President Fortuna and continue as the Vice-President, if lucky. I just feel like my capacity right now is at a very low capacity and I don't want to take something on that I can't know that I would be successful in. But, thank you, for your encouragement and throwing my name out there.

MEMBER MCPHILLIPS: That's okay, but while I am not going to push you, I am going to pull you to this role, Anna. I really don't think you have to worry about the capacity, there is not too much to it.

If you look at the administrative expenses, the legal counsel takes care of a lot of the stuff that has to be done. Dan really is just more of kind of, you know, reading from the script.

But what is more concerning is that I
think at the Pension Fund, we really turned a
corner of doing things new, rather than the old way
of doing it and I think you represent that.

I can't believe any trustee wouldn't think you are capable, especially since you preside over the City Council. But, you know, I think

there's been some mismanagement at the Pension Fund and we changed that ever since you got here and I really want to kind of move on to this new generation of leaders as you spoke about.

If any trustees want to speak about the mismanagement, I think you should. I mean, that is kind of your role to make sure that we are administered properly. But I think some of the nonsense we have been here -- you know, I don't mean nonsense, but some of the issues we have been having at the Fund the last two years can be resolved with somebody new and I think that is you. I really do.

I mean, there's been a lot of push in the last two years for having females, more Black and Brown people. And then for you to not to take this role I guess is a little concerning.

You know, we talked about a new auditor last month and the big push was that it be somebody of color. And I supported that not so much because it was someone of color but because we needed somebody different and that is why we had a change and I think that same concept applies here. We need somebody different. We need to change things

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1
     around a little bit.
2
               This isn't a slanderous statement against
 3
     Dan in any way. I think Dan has done an okay job,
     but I think we need new blood.
 4
               So I would like to hear some comments
 5
 6
     from some other trustees. I mean, we have been
 7
     pushed quite a bit about getting females, Black
8
     females, Brown females, in the leadership roles.
 9
     Why would we not start right here at our own board?
10
     I just don't understand it.
11
               MEMBER NANCE-HOLT: I have a comment to
12
     make.
13
               MEMBER MCPHILLIPS: Sure.
                                           Sure.
14
               MEMBER NANCE-HOLT: This is for the
15
     Board. Okay, so I nominated Dan Fortuna and I
16
     believe Trustee Valencia she said not at this time
17
     and so can we vote or get a second and vote on the
18
     motion that I put on the floor?
19
               CHAIRMAN FORTUNA: I am going to ask for
20
     any more comments.
21
               MS. BURNS: There is a second, Trustee
22
     Holt.
            There was a second made by Trustee Valencia.
23
               CHAIRMAN FORTUNA: There is a motion and
24
     a second. Any more comments? I am going to move
```

on to the vote.

MEMBER MCPHILLIPS: If I can, is
everyone's volume working? I can't believe there
is not any other comments from some of the trustees
that are constantly pushing, you know, females and
especially Black and Brown of color in leadership
roles.

Here we are in our own board not going to move forward somebody, you know, of this stature.

It just doesn't seem logical to me.

MEMBER VALENCIA: Tim, I appreciate your support a lot and I think everyone here on the board would support me. I am not afraid of that.

I just at this time also I think what we are talking about in terms of equity is the ability to also say no. As much as I am supportive, and talk the walk and walk the talk, or whatever that is. It is early, I am on my first cup of tea. I just know personally that this -- I feel like I can do a very good role as Vice-President at this time, with all the things I have going on on my plate.

But I appreciate you supporting and I know that the women on this board would support it, too. But I just think also as a woman it is our choice to be

1 able to say no, too, and that is okay. 2 But thank you again and I just also want 3 to comment that ever since joining this board and our new Executive Director and the President I 4 think that we had a lot of success and it is not 5 just one person. It's been a team effort and I 6 7 really have seen that come to light. And having Treasurer Melissa Conyears-Ervin and Reshma and 8 9 Annette, it's been really exciting to see all the 10 work that they have put into this board and taking 11 it to a new level. I just also wanted to point 12 that out. It's been a real team effort ever since 13 I joined this board. 14 I second the motion for President 15 Fortuna. 16 MEMBER CONYEARS-ERVIN: Thank you, Madam 17 Clerk. 18 I think that Trustee McPhillips is probably alluding to me as well. 19 20 Certainly, he knows and I appreciate the diversity and inclusion extremely -- (Audio 21 22 distortion.)

-- to change their mind for this type of roll.

1 I support and appreciate what President 2 Fortuna has done. And I am certainly fine with 3 moving forward because when it comes to diversity and inclusion of this board, I think a lot of work 4 5 has been done by all of the Trustees. We work together as a team and I have seen that in 6 7 President Fortuna and his support for diversity and 8 inclusion of this Pension Fund. And so what can we do now but move forward with the vote. 9 10 CHAIRMAN FORTUNA: I am going to take the 11 We have to get moving here. There is a vote. motion and there is a second. 12 13 MEMBER TEBBENS: This is --14 MEMBER MCPHILLIPS: Hold on. I think 15 somebody else has a comment, Dan. 16 MEMBER TEBBENS: This is Trustee Tebbens. 17 I just wanted to know is anyone interested in the 18 position, other than -- shown any interest, other than Trustee Fortuna? 19 20 MEMBER SONI: This is Trustee Soni. 21 just want to also make a comment. I think there is a lot of time commitment that President Fortuna 22 23 puts into this board, not only in the current 24 situation but over many years and he is looking at

```
1
     the greater good not only of the Fund but what the
     pension systems can do and how we can benefit
 2
 3
     overall for our members. It is a lot of time
     commitment that he puts in and I just want to say
 4
 5
     how much I appreciate that.
 6
               I am in agreement with all the other
 7
     trustees, all the ladies on the board, who have
     mentioned I think that he does a fantastic job.
8
 9
     think any of our members could do a good job as
10
     well, but I think the energy, the skills, the
11
     expertise that President Fortuna brings to our
     board, especially at this time, is much needed.
12
                                                       So
13
     I would like to be in support of President Fortuna.
14
               CHAIRMAN FORTUNA: Thank you, very much
15
     for those kind words. And, please, I'd like to get
16
     this meeting going.
17
               MEMBER MCPHILLIPS: Listen, Dan, Dan,
18
     this is important stuff.
               CHAIRMAN FORTUNA: Okay. Do you want to
19
     make a motion? Make a motion for somebody.
20
21
               MEMBER MCPHILLIPS: No.
                                        No. We are on
22
     the question, Dan. This is how these rules work.
23
               MEMBER MCPHILLIPS: Go on the question.
24
               CHAIRMAN FORTUNA: I will tell you what
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1 2 MS. BURNS: Wait. President Fortuna, 3 please, this is a legal issue now. Trustee Valencia you have spoken. 4 5 Trustee Conyears-Ervin you have spoken. Trustee 6 Holt you have spoken. Trustee Soni you have 7 Trustee McPhillips you have spoken. spoken. 8 Trustee Murphy, do you have a comment 9 you'd like to make? 10 MEMBER MURPHY: Not at this time, thank 11 you. 12 MS. BURNS: Trustee Tebbens, I know you 13 are new to the board, but you have spoken. 14 answer to your question was no other trustee who is 15 siting on the board at this time has expressed as 16 of this date any interest in the position, other 17 than President Fortuna. Would you like to make 18 another comment? 19 MEMBER TEBBENS: That sufficiently 20 answers my question. 21 MS. BURNS: Thank you, sir. 22 All comments have been had. You have met 23 the requirements of Robert's Rules. You are able to call this for a vote. 24

1 If the vote fails, then, Trustee 2 McPhillips, you are more than welcome to make 3 another motion. MEMBER MCPHILLIPS: Well, I can't make a 4 5 comment on Reshma's comment? I mean, this is a 6 discussion on the qualifications of the President 7 and the role of the President. 8 The only comment I'd like to make is, 9 Trustee Reshma, there is not that much of a time 10 commitment for the President. It is pretty clear, 11 where we are at, but there is not that much of a 12 time commitment. 13 With that being said, Anna, I am 14 disappointed. I was hopeful that you would take on 15 this role. I think you are very qualified and very 16 bright and I think some of these pension funds need 17 a new voice. 18 But, Dan, go ahead on to the vote. CHAIRMAN FORTUNA: 19 Thank you. 20 There is a motion by Trustee Holt seconded by Trustee Valencia. 21 22 Trustee Valencia. 23 MEMBER VALENCIA: Yes. 24 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 Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: Trustee McPhillips.
MEMBER MCPHILLIPS: No.
CHAIRMAN FORTUNA: Motion carries.
MEMBER NANCE-HOLT: I have a second
motion to make, is this appropriate right now?
CHAIRMAN FORTUNA: Yes, it is.
MEMBER NANCE-HOLT: I would also like to
make a motion to elect Anna Valencia as the
Vice-President of the Board.
MEMBER MCPHILLIPS: Second.
CHAIRMAN FORTUNA: There's a motion by
Trustee Holt seconded by Trustee McPhillips.
Trustee Valencia.
MEMBER VALENCIA: Yes.

1	
1	CHAIRMAN FORTUNA: Trustee Annette Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Tebbens.
11	MEMBER TEBBENS: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER MCPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	Motion carries.
16	MEMBER CONYEARS-ERVIN: I'd like to make
17	a motion, Mr. President.
18	CHAIRMAN FORTUNA: Yes, madam.
19	MEMBER CONYEARS-ERVIN: I would like to
20	make a motion for Trustee Bill Murphy for Fund
21	Secretary.
22	CHAIRMAN FORTUNA: There is a motion for
23	Fund Secretary Trustee Murphy. Is there a second?
24	MEMBER NANCE-HOLT: Second by Trustee

1 Holt. 2 CHAIRMAN FORTUNA: Second by Trustee 3 Holt. Any comments? MEMBER MCPHILLIPS: Onto the question, 4 5 this one is going to take a long time I think 6 because you know historically we have always had 7 the Secretary detailed up here full-time. Is Bill willing to come up here full-time? 8 9 I mean, here is a guy with an 10 undergraduate degree, a law degree, I think he can 11 do a lot of good up at the Pension Fund. 12 Two years ago we spent a lot of money to 13 have somebody come up here and rewrite -- \$1,000 we 14 spent to have somebody come up here and rewrite 15 policies. I haven't seen much results from that 16 expenditure and I am just wondering if Bill is 17 willing to come up here full-time. Bill? 18 MEMBER MURPHY: Sure, my --MEMBER CONYEARS-ERVIN: You don't have to 19 20 answer that question right now. If Bill is not 21 comfortable with answering that or the decision is 22 not made, can he say that and we can still proceed 23 with the vote? 24 MEMBER MCPHILLIPS: I prefer you not.

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1
     mean, let's get somebody that is willing to come up
2
     here full-time.
 3
               TRUSTEE CONYEARS-ERVIN:
                                         I get what you
     are saying but I still have the motion on the
 4
 5
     floor. So whether Bill, Trustee Murphy, is ready
     to answer that or not it is not dependent on my
 6
 7
     motion.
               MEMBER MCPHILLIPS: No, you are right.
8
9
     We are discussing the motion. We are onto the
10
     question.
11
               TRUSTEE CONYEARS-ERVIN:
                                         Trustee Murphy,
     my motion is not dependent upon your answer so if
12
13
     you are not prepared to answer that right now we
14
     can certainly move on.
15
               MEMBER MCPHILLIPS:
                                   Yes.
16
               MEMBER MURPHY: I'd rather hold off.
17
               MEMBER MCPHILLIPS: I definitely think
18
     that is clear but I think we can discuss it now if
     we wanted to. And I think it is less about Bill
19
20
     but more about the bigger role of what the
21
     Secretary's role is.
22
               It clearly states in the Pension Code
23
     that we can have him come up here permanently which
24
     is great. We did that for over a decade.
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1
               And as you know, Melissa, Trustee, at the
2
     other Pension Fund you serve on I think they have
 3
     two or three secretaries up there.
               CHAIRMAN FORTUNA: How long do I have to
 4
 5
     wait?
 6
               MEMBER MCPHILLIPS: Maybe we should
 7
     figure out what they do on the Police Fund over
     here at the Fire Fund.
8
 9
               MS. BURNS: Trustee Valencia, would you
10
     like to make a comment on this point?
11
               MEMBER VALENCIA: I am ready for the
     vote. I was going to say the same about it as
12
13
     Treasurer Conyears-Ervin as well.
14
               MS. BURNS: Trustee Holt, would you like
15
     to make a comment? You understand Trustee
16
     McPhillips' position I assume.
17
               MEMBER NANCE-HOLT: Yes, I heard him.
18
     seconded the fact that -- he said we need new blood
     so I think the nomination for this person to be the
19
20
     Secretary/Treasurer I think is a good move in a
21
     different direction.
22
               MEMBER MCPHILLIPS: Yes, I agree,
23
     Nance-Holt, but I think you are on the wrong
24
     motion, that was on the previous motion. I am not
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1
     talking about new blood here. I am talking about a
2
     need for somebody --
 3
               MEMBER NANCE-HOLT: But I am, but I am.
     I am.
 4
 5
               MEMBER MCPHILLIPS: Okay.
               MS. BURNS: Trustee McPhillips, I think
 6
7
     she is entitled to make her comments, she has the
8
     floor.
9
               Trustee Holt, are you complete with your
10
     comments?
11
               MEMBER MCPHILLIPS: I'm sorry?
12
               MS. BURNS: I am asking Trustee Holt if
13
     she has completed her comments.
14
               MEMBER HOLT: Yes, I have. I have
15
     completed my comment. Are we calling for the vote?
16
               CHAIRMAN FORTUNA: We are calling for the
17
     vote.
18
               MS. BURNS: Let's just make sure if
     Trustee Tebbens would like to say something on this
19
20
     question.
21
               MEMBER TEBBENS: I have no comment at
22
     this time.
23
               MS. BURNS: Thank you, sir.
24
               Trustee Soni, would you like to make any
```

1	comments?
2	MEMBER SONI: I am in support of
3	nominating Trustee Murphy in this position. Thank
4	you.
5	MS. BURNS: Mr. President, everyone has
6	had a chance to speak on this subject.
7	CHAIRMAN FORTUNA: So we have a motion on
8	the floor and a second.
9	MEMBER MCPHILLIPS: Just to be clear is
10	Bill
11	CHAIRMAN FORTUNA: Anna Valencia.
12	MEMBER MCPHILLIPS: okay coming up
13	here full-time?
14	MEMBER VALENCIA: Yes.
15	MEMBER MCPHILLIPS: Bill?
16	CHAIRMAN FORTUNA: Annette Holt.
17	MEMBER NANCE-HOLT: Yes.
18	CHAIRMAN FORTUNA: Trustee
19	Conyears-Ervin.
20	MEMBER CONYEARS-ERVIN: Yes.
21	CHAIRMAN FORTUNA: Trustee Soni.
22	MEMBER SONI: Yes.
23	CHAIRMAN FORTUNA: Trustee Murphy.
24	MEMBER MURPHY: Yes.

1	CHAIRMAN FORTUNA: Trustee Tebbens.
2	MEMBER TEBBENS: Yes.
3	CHAIRMAN FORTUNA: Trustee McPhillips.
4	MEMBER MCPHILLIPS: I am a no if Bill
5	can't commit to coming up here full-time.
6	CHAIRMAN FORTUNA: Motion carries.
7	MS. BURNS: Your vote is a yes, President
8	Fortuna?
9	CHAIRMAN FORTUNA: I am.
10	Let's move on. I'd like to turn the
11	meeting over to Secretary Murphy, please.
12	MEMBER MURPHY: Thank you, Mr. President.
13	I'd like to move on to the Administrative
14	Items. Item A, approval of the regular audio
15	meeting of November 18, 2020. I would like to make
16	a motion to approve the open minutes and the
17	executive session minutes from the November 18th
18	board meeting and to keep the executive session
19	minutes closed.
20	MEMBER VALENCIA: Second.
21	CHAIRMAN FORTUNA: Motion by Trustee
22	Murphy seconded by Trustee Valencia.
23	Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: Trustee Annette Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Tebbens.
11	MEMBER TEBBENS: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER MCPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	Motion carries.
16	MEMBER MURPHY: Moving on, I would like
17	to make a motion to approve the transcript for the
18	November 18, 2020 board meeting.
19	MEMBER SONI: Second.
20	CHAIRMAN FORTUNA: There is a motion by
21	Trustee Murphy seconded by Trustee Soni.
22	Trustee Valencia.
23	MEMBER VALENCIA: Yes.
24	CHAIRMAN FORTUNA: Trustee Annette Holt.

1	
1	MEMBER NANCE-HOLT: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER MCPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Tebbens.
12	MEMBER TEBBENS: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MEMBER MURPHY: Moving on, I would like
16	to approve the Minimum Formula Annuities starting
17	with 12272 Anderson and ending with 11464
18	Zaccagnini.
19	MEMBER NANCE-HOLT: Second.
20	CHAIRMAN FORTUNA: There's a motion by
21	Trustee Murphy seconded by Trustee Holt.
22	Trustee Valencia.
23	MEMBER VALENCIA: Yes.
24	CHAIRMAN FORTUNA: Trustee Annette Holt.

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1	MEMBER NANCE-HOLT: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER MCPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Tebbens.
12	MEMBER TEBBENS: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MEMBER MURPHY: Moving to C, I'd like to
16	make a motion to approve the Widow's Annuities
17	starting with 08387 through Member 10943.
18	MEMBER CONYEARS-ERVIN: Second.
19	CHAIRMAN FORTUNA: There is a motion by
20	Trustee Murphy seconded by Conyears-Ervin.
21	Trustee Valencia.
22	MEMBER VALENCIA: Yes.
23	CHAIRMAN FORTUNA: Trustee Annette Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER MCPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Tebbens.
11	MEMBER TEBBENS: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MURPHY: Moving on, I would like
15	to make a motion to approve the Children's
16	Annuities beginning with Member 14152.
17	MEMBER SONI: Second.
18	CHAIRMAN FORTUNA: There's a motion by
19	Trustee Murphy seconded by Trustee Soni.
20	Trustee Valencia.
21	MEMBER VALENCIA: Yes.
22	CHAIRMAN FORTUNA: Trustee Annette Holt.
23	MEMBER NANCE-HOLT: Yes.
24	CHAIRMAN FORTUNA: Trustee

1	Conyears-Ervin.
2	MEMBER CONYEARS-ERVIN: Yes.
3	CHAIRMAN FORTUNA: Trustee Soni.
4	MEMBER SONI: Yes.
5	CHAIRMAN FORTUNA: Trustee McPhillips.
6	MEMBER MCPHILLIPS: Yes.
7	CHAIRMAN FORTUNA: Trustee Murphy.
8	MEMBER MURPHY: Yes.
9	CHAIRMAN FORTUNA: Trustee Tebbens.
10	MEMBER TEBBENS: Yes.
11	CHAIRMAN FORTUNA: And I am a yes.
12	Motion carries.
13	MEMBER MURPHY: Moving on to D, Refunds,
14	there are none this month.
15	Moving on to E, Death Benefits, I would
16	like to move to approve the Death Benefits for
17	Members 07140 through 10943.
18	MEMBER McPHILLIPS: Second.
19	CHAIRMAN FORTUNA: There's a motion by
20	Trustee Murphy seconded by Trustee McPhillips.
21	Trustee Valencia.
22	MEMBER VALENCIA: Yes.
23	CHAIRMAN FORTUNA: Trustee Annette Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER MCPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Tebbens.
11	MEMBER TEBBENS: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MURPHY: Moving on to F, Partial
15	Payments. I would like to make a motion to approve
16	the Partial Payments beginning with Member 10670
17	continuing through to Member 10943.
18	MEMBER SONI: Second.
19	CHAIRMAN FORTUNA: There's a motion by
20	Trustee Murphy seconded by Trustee Soni.
21	Trustee Valencia.
22	MEMBER VALENCIA: Yes.
23	CHAIRMAN FORTUNA: Trustee Annette Holt.
24	MEMBER NANCE-HOLT: Yes.

1	CHAIRMAN FORTUNA: Trustee
2	Conyears-Ervin.
3	MEMBER CONYEARS-ERVIN: Yes.
4	CHAIRMAN FORTUNA: Trustee Soni.
5	MEMBER SONI: Yes.
6	CHAIRMAN FORTUNA: Trustee McPhillips.
7	MEMBER MCPHILLIPS: Yes.
8	CHAIRMAN FORTUNA: Trustee Murphy.
9	MEMBER MURPHY: Yes.
10	CHAIRMAN FORTUNA: Trustee Tebbens.
11	MEMBER TEBBENS: Yes.
12	CHAIRMAN FORTUNA: And I am a yes.
13	Motion carries.
14	MEMBER MURPHY: Moving to G, Benefit
15	Recalculations, there are none this month.
16	Requests for Permission. Guardianship.
17	There are two guardianship matters for Members
18	06758 and 12973. Staff has confirmed that the
19	appropriate documentation is on file for both
20	members.
21	MEMBER TEBBENS: Second.
22	CHAIRMAN FORTUNA: Motion by Trustee
23	Murphy seconded by Trustee Tebbens.
24	Trustee Valencia.

1	MEMBER VALENCIA: Yes.
2	CHAIRMAN FORTUNA: Trustee Annette Holt.
3	MEMBER NANCE-HOLT: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee Soni.
8	MEMBER SONI: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER MCPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Murphy.
12	MEMBER MURPHY: Yes.
13	CHAIRMAN FORTUNA: Trustee Tebbens.
14	MEMBER TEBBENS: Yes.
15	CHAIRMAN FORTUNA: And I am a yes.
16	Motion carries.
17	MEMBER MURPHY: Moving on, I'd like to
18	make a motion there is one request for Member
19	14757 Robert Stepanek to reside out of state. I
20	make a motion to approve.
21	MEMBER VALENCIA: Second.
22	CHAIRMAN FORTUNA: Motion to approve by
23	Trustee Murphy seconded by Trustee Valencia.
24	Trustee Valencia.

1	MEMBER VALENCIA: Yes.
2	CHAIRMAN FORTUNA: Trustee Annette Holt.
3	MEMBER NANCE-HOLT: Yes.
4	CHAIRMAN FORTUNA: Trustee
5	Conyears-Ervin.
6	MEMBER CONYEARS-ERVIN: Yes.
7	CHAIRMAN FORTUNA: Trustee Soni.
8	MEMBER SONI: Yes.
9	CHAIRMAN FORTUNA: Trustee McPhillips.
10	MEMBER MCPHILLIPS: Yes.
11	CHAIRMAN FORTUNA: Trustee Murphy.
12	MEMBER MURPHY: Yes.
13	CHAIRMAN FORTUNA: Trustee Tebbens.
14	MEMBER TEBBENS: Yes.
15	CHAIRMAN FORTUNA: And I am a yes.
16	Motion carries.
17	MEMBER MURPHY: Moving on to I, Removals.
18	I move to approve the Removals starting with Marion
19	Szumski and ending with Matthew Ethell.
20	MEMBER NANCE-HOLT: Second.
21	CHAIRMAN FORTUNA: Motion by Trustee
22	Murphy seconded by Trustee Holt.
23	Trustee Valencia.
24	MEMBER VALENCIA: Yes.

1	CHAIRMAN FORTUNA: Trustee Annette Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER MCPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Tebbens.
13	MEMBER TEBBENS: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	Motion carries.
16	MEMBER MURPHY: Moving on to Payments
17	Pursuant to Administrative and Court Orders. I
18	move that all administrative and court orders
19	listed in the docket starting with Member 010979
20	and ending with Member 015566 be approved.
21	MEMBER CONYEARS-ERVIN: Second.
22	CHAIRMAN FORTUNA: There's a motion by
23	Trustee Murphy seconded by Trustee
24	Conyears-Ervin.

1	Trustee Valencia.
2	MEMBER VALENCIA: Yes.
3	CHAIRMAN FORTUNA: Trustee Annette Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER MCPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Tebbens.
15	MEMBER TEBBENS: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	Motion carries.
18	MEMBER MURPHY: Moving on to the
19	disability applications.
20	MS. BURNS: Can I interrupt you here?
21	CHAIRMAN FORTUNA: Go ahead.
22	MS. BURNS: Ladies and gentlemen, the
23	first item on the agenda today for the disability
24	hearings was to adopt Findings of Facts and

Conclusions of Law in the Ricardo Gomez matter,
which you heard last month.

We have received a request from Mr.

Gomez's lawyer. He did not have a lawyer at the hearing but subsequent to the hearing and subsequent to your vote he retained an attorney. That attorney is Mr. Marconi who you know from other matters before this Board.

Mr. Marconi has asked us to present to you his request that you defer voting on this matter until such time as Mr. Marconi has been able to review the transcript, consider the facts and perhaps come back to you with some motions.

If you remember, and, Vince, please jump in if I am wrong on these facts, but you voted four to two to grant this benefit. Is that correct, Vince?

MR. PINELLI: Four to two to grant but it didn't pass because it wasn't the quorum of five, that's correct.

MS. BURNS: We could talk about this in more detail in closed session, but we're trying to move this meeting along in respect of your time so maybe today all you need to consider is whether or

```
1
     not you would be willing to grant the request of a
     member, through his attorney, to defer this to the
2
 3
     January time period.
 4
               We can certainly update you in January of
 5
     all the pros and cons of the motion that we expect
     you to receive, which is going to be we think a
 6
 7
     motion to ask you to take a new vote on this.
               CHAIRMAN FORTUNA: Do I just need a
8
     recommendation or do I need to make a motion?
 9
10
               MS. BURNS: It is our recommendation,
11
     Vince and I spoke about it, that given the close
     vote that you defer this again as a courtesy to our
12
13
     member who has now retained an attorney.
14
               Whether we would recommend you change
15
     your vote I think it is worthy of a discussion at a
16
     later date.
17
               Is that fair, Vince?
18
               MR. PINELLI: That is totally accurate.
               MS. BURNS: It would be a motion to defer
19
     the matter of Ricardo Gomez at the request of Mr.
20
21
     Gomez and his attorney.
22
               MEMBER MURPHY:
                                I make the motion.
23
               MEMBER MCPHILLIPS: Can I ask you a quick
24
     question?
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1
               MS. BURNS: Yes, sir.
2
               MEMBER MCPHILLIPS: If we end up voting
 3
     again, without going into the logistics of why that
     is allowed, how would that affect the new trustee?
 4
               MS. BURNS:
 5
                           That is a question I have,
     Trustee McPhillips. I am concerned about that.
 6
                                                       Ιt
 7
     is sort of like a second bite at the apple.
8
               I don't want to get into too many
9
     details, but it would be my recommendation, Vince
10
     may disagree, that Trustee Tebbens could not
11
     participate.
12
               MEMBER MCPHILLIPS: Would the former
13
     trustees' votes stand or is this a new vote is it
14
     not?
15
               MS. BURNS: I think all those issues are
16
     valid.
17
               MR. PINELLI: Right.
18
               MS. BURNS: We have to talk about them in
     closed session. Today is just a request to defer.
19
               MEMBER MCPHILLIPS: Okay, yes, let's move
20
          Thank you for clarification.
21
     on.
               CHAIRMAN FORTUNA: We have a motion to
22
23
     defer by Trustee Murphy.
24
               MEMBER NANCE-HOLT: Second by Trustee
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ı	
1	Holt.
2	CHAIRMAN FORTUNA: Seconded by Trustee
3	Holt.
4	Trustee Valencia.
5	MEMBER VALENCIA: Yes.
6	CHAIRMAN FORTUNA: Trustee Annette Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER MCPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Murphy.
16	MEMBER MURPHY: Yes.
17	CHAIRMAN FORTUNA: Trustee Tebbens.
18	MEMBER TEBBENS: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	Motion carries.
21	MEMBER MURPHY: Moving on, Vince.
22	MR. PINELLI: The next matter on the
23	agenda, Mr. Secretary, is the application for a
24	Compensation Widower's Annuity being made by

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1
     Kenneth Buczko, who is the widower of deceased
2
     Firefighter Denise McCormick.
 3
               I don't know if Mr. Buczko is on the call
     or not. If he is, could you identify yourself?
 4
 5
     may not be. I just wanted to make sure.
 6
               MR. TORRES: He is on the call. He just
 7
     needs to unmute.
8
               MS. BURNS: Mr. Buczko, could you please
9
     unmute yourself?
10
               MR. PINELLI: He is not going to testify.
11
     Hopefully he can hear us even though he is muted so
     I'd like to at least begin.
12
13
               MS. BURNS: He's unmuted, Vince.
14
               MR. PINELLI: Thank you.
15
               Good morning, Mr. Buczko. Can you hear
16
     me?
17
               MR. BUCZKO: Yes, I can.
18
               MR. PINELLI: Mr. Buczko, we are going to
     proceed with this hearing on your application.
19
20
               By way of introduction to the board
21
     members, I am going to move to admit Board Exhibits
22
     1 through 8, which have previously been distributed
23
     to you. Mr. Buczko, did you receive a copy of
     those Board Exhibits?
24
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1
               MR. BUCZKO: Yes, I did.
2
               MR. PINELLI: Okay. You had a chance to
 3
     review them I take it?
               MR. BUCZKO: Yes.
 4
 5
               MR. PINELLI: And do you have any
     objection to their admission into the record?
 6
 7
               MR. BUCZKO: No, I don't.
8
               MR. PINELLI: Thank you, sir.
                                               Then I am
9
     going to move to admit, Mr. Chairman, Board
10
     Exhibits 1 through 8, without objection from the
11
     applicant.
12
               CHAIRMAN FORTUNA: So moved.
13
                (Board Exhibits 1 through 8 were
                admitted into evidence.)
14
15
               MR. PINELLI: Mr. Buczko, just to advise
16
     you, there are currently eight trustees present to
17
     hear the evidence or consider the evidence on your
18
     application.
19
               You should know if you don't know you
20
     need the yes vote of at least five of those eight
21
     trustees in order to receive this benefit. Do you
     understand that?
22
23
               MR. BUCZKO: Yes, I do.
24
               MR. PINELLI: Okay. Thank you.
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At this time, to the members of the Board, this is an application pursuant to Section 6-140 of the Pension Code, which is death in the line of duty of a member, and that provision provides that the surviving spouse of a deceased member who died in the performance of duty may apply for death in the line of duty annuity.

The difference between this and a regular widow's annuity is just in the calculation of the amount of the annuity. It is a higher calculation.

75 percent of salary versus 50 percent for the regular Widow's Annuity.

Historically, there's been case law on this very provision going back a number of years. The Board litigated what is called a Bertucci case, which was an application by a widow under this section which historically prior to the date of that decision the Board would award obviously this annuity to spouses of firefighters who were actually killed or died at the scene of a fire or responding to a fire and so forth or shortly thereafter as a result of injuries that they sustained during the response to the fire.

However, Ms. Bertucci challenged the

Board's denial of an annuity to her, based upon a fact that her husband who had gone off on a Duty Disability for a particular injury and remained on disability but then he died from a cause that was distinct, separate, completely different than the disability injury that had caused him to go out.

So she claimed that under the clause of that provision that says that if the firefighter is prevented from subsequently resuming active service as a result of that initial disability and then dies, even though it is from a cause completely different than his disability, that she would be entitled to that benefit because he was never able to return to active duty as a result of that disability.

The Appellate Court reversed the Board and affirmed that in a decision, the Bertucci decision, and basically interpreted that provision to indicate that if any firefighter goes on disability and is never able to return to active duty and then dies from any cause, regardless of if it is related to the disability cause, that the surviving spouse is entitled to the death in the line of duty benefit.

So since that time the Board has followed that decision. The legislature has not in any way amended the statute or changed it in any way as a result of the Bertucci decision.

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By way of background, that is the The documents that have been submitted background. clearly establish that, first of all, Mr. Buczko was married to Ms. McCormick, Denise McCormick. That she went on duty disability as a result of a shoulder injury a number of years ago and was granted by this Board in 2007 I believe. And that she remained off-duty, she remained disabled, during that period of time. She was reexamined consistent with the Fund's policy by our doctors and provided evidence to indicate that she remained disabled up and through the date that she recently passed away on October 11th of 2020. So she was never able to return to active duty as a result of that shoulder injury. She was reexamined actually just recently by the Board's physician consultant. His records are in the board exhibits and he found her to be still disabled as of the date of her most recent reexamination.

Based upon that evidence, I would

1 indicate that the records and the Board Exhibits 2 would meet the burden of proof required of Mr. 3 Buczko to be entitled to this surviving spouse annuity under Section 6-140. 4 5 MEMBER MURPHY: Mr. President, I would like to make a motion to grant the benefit 6 7 requested by Mr. Buczko. MEMBER NANCE-HOLT: Second by Trustee 8 9 Holt. 10 CHAIRMAN FORTUNA: There is a motion to 11 grant by Trustee Murphy seconded by Trustee Holt. Trustee Valencia. 12 13 MEMBER TEBBENS: On the question, this is 14 Trustee Tebbens. Based on the previous 15 conversation, am I voting on this or not voting on 16 this? 17 MS. BURNS: Yes, sir. You are a full 18 member of this board and we would expect you to vote, unless you had a conflict of interest or if 19 20 you are uncomfortable for some reason feel free to 21 recuse yourself. 22 MEMBER TEBBENS: I thought based on the 23 conversation I was precluded from voting on this. 24 MS. BURNS: No, sir. This is a new

1	matter.
2	MEMBER TEBBENS: Thank you.
3	CHAIRMAN FORTUNA: We have a motion on
4	the floor by Trustee Murphy seconded by Trustee
5	Holt.
6	Trustee Valencia.
7	(Trustee Valencia briefly left
8	the video conference.)
9	CHAIRMAN FORTUNA: Trustee Annette Holt.
10	MEMBER NANCE-HOLT: Yes.
11	CHAIRMAN FORTUNA: Trustee
12	Conyears-Ervin.
13	MEMBER CONYEARS-ERVIN: Yes.
14	CHAIRMAN FORTUNA: Trustee Soni.
15	MEMBER SONI: Yes.
16	CHAIRMAN FORTUNA: Trustee McPhillips.
17	MEMBER MCPHILLIPS: Yes.
18	CHAIRMAN FORTUNA: Trustee Murphy.
19	MEMBER MURPHY: Yes.
20	CHAIRMAN FORTUNA: Trustee Tebbens.
21	MEMBER TEBBENS: Yes.
22	CHAIRMAN FORTUNA: And I am a yes.
23	Motion carries.
24	MEMBER MURPHY: Counsel has previously

1	sent around proposed Findings of Fact and
2	Conclusions of Law on this matter. Having had a
3	chance to review those, I make a motion to adopt
4	the Findings of Fact and Conclusions of Law on this
5	matter.
6	MEMBER NANCE-HOLT: Second.
7	CHAIRMAN FORTUNA: Motion by Trustee
8	Murphy seconded by Trustee Nance-Holt.
9	Trustee Valencia.
10	MEMBER VALENCIA: Yes.
11	(Trustee Valencia briefly left
12	the video conference.)
13	CHAIRMAN FORTUNA: Trustee Annette Holt.
14	MEMBER NANCE-HOLT: Yes.
15	CHAIRMAN FORTUNA: Trustee
16	Conyears-Ervin.
17	MEMBER CONYEARS-ERVIN: Yes.
18	CHAIRMAN FORTUNA: Trustee Soni.
19	MEMBER SONI: Yes.
20	CHAIRMAN FORTUNA: Trustee McPhillips.
21	MEMBER MCPHILLIPS: Yes.
22	CHAIRMAN FORTUNA: Trustee Murphy.
23	MEMBER MURPHY: Yes.
24	CHAIRMAN FORTUNA: Trustee Tebbens.

1	MEMBER TEBBENS: Yes.
2	CHAIRMAN FORTUNA: And I am a yes.
3	Motion carries.
4	Sir, based on the Findings of Fact made
5	by the Trustees, the Trustees have voted to grant
6	the benefit that you have requested. You will be
7	notified by mail of the Findings of Fact and the
8	Board's decision. Thank you.
9	MR. BUCZKO: Thank you, sir.
10	MEMBER MURPHY: Moving on to Paramedic
11	Chief Robert Hickey.
12	MR. PINELLI: Thank you, Mr. Secretary.
13	This is the hearing on the application of
14	Paramedic in Charge Robert Hickey for a line of
15	Duty Disability application.
16	Mr. Hickey, are you present?
17	MR. HICKEY: Can you hear me?
18	MR. PINELLI: Yes. Can you hear me?
19	MR. HICKEY: Yes, this is Robert Hickey.
20	MR. PINELLI: Thank you, Mr. Hickey. I'd
21	like to indicate to you I am one of the attorneys
22	for the Pension Fund and advise you of some
23	preliminary matters before we start evidence on
24	your application.

1 First of all, there are eight trustees 2 present at this time to hear the evidence on your 3 application. If you don't know you should know you need the yes vote of at least five of those eight 4 5 trustees in order to receive this benefit. Do you understand that, sir? 6 7 MR. HICKEY: Yes, sir. 8 MR. PINELLI: Also, you do not have an 9 attorney that has filed an appearance on your 10 behalf. Is it your desire to proceed without an 11 attorney at this hearing? MR. HICKEY: Yes, if -- is it possible to 12 13 get one later should I like to appeal? 14 MR. PINELLI: Well, certainly, yes, you 15 can hire an attorney at a later date, if that is 16 your choice. But for today's purpose in order to 17 proceed with the hearing I just need to know that 18 you want to go forward without an attorney. MR. HICKEY: Yes, I'd like to go forward. 19 MR. PINELLI: Lastly, it is the 20 applicant's burden of proof to present sufficient 21 evidence to the Board in order for the Board to 22 23 grant the benefit. You understand it is your 24 burden of proof?

1 MR. HICKEY: Yes. 2 MR. PINELLI: By way of procedures, I am 3 going to start by asking you some questions under oath. The board members may or may not have 4 5 questions of you. Then I will call the Fund's doctor, who examined you or interviewed you. I 6 7 will ask him some questions. If there is anything 8 I don't ask him that you think is important for the 9 Board to know, let me know and you will be given 10 that opportunity. Do you understand the procedures 11 for today? 12 MR. HICKEY: Yes. 13 MR. PINELLI: Then at this time we are 14 ready to proceed. Doctor Peters and Mr. Hickey, 15 could you both raise your right hands? 16 (Witnesses sworn.) 17 ROBERT HICKEY 18 a witness herein, having been first duly sworn, was examined and testified as follows: 19 20 EXAMINATION 21 BY MR. PINELLI: 22 Mr. Hickey, first then would you please 23 state your name for the record? 24 Robert Patrick Hickey. Α

1 Q What is your current rank with the Fire 2 Department? 3 Paramedic in Charge. What was your last assignment before you 4 Q went on layup? 5 I was south side relief. 6 Α 7 Directing your attention to the exhibits, 8 you should have been provided a copy of what has been marked as Board Exhibits 1 through 13 prior to 9 today's date. Did you receive a copy? 10 11 By email, yes. Α 12 Okay. Did you have a chance to review Q 13 them all? 14 Α I looked over most of it, yes. 15 Q All right. Do you have any objection to 16 their admission into the record in support of your 17 application? 18 Α No, I do not. 19 MR. PINELLI: Thank you, sir. 20 Mr. Chairman, I move for admission of 21 Board Exhibits 1 through 13 without objection from 22 the applicant. 23 CHAIRMAN FORTUNA: Admitted without 24 objection.

1 MR. PINELLI: Thank you.

2 (Board Exhibits 1 through 13

4 BY MR. PINELLI:

Q Now, Mr. Hickey, you are applying for this disability benefit based upon an injury or injuries you sustained on December 1st of 2019. Is that correct, sir?

A That's correct.

Q Now understanding the Board has your written statement that you did provide and is one of the Board Exhibits, 1-B, could you just briefly summarize for the Board where you were and what happened to you that caused you the injuries?

A I was carrying an elderly female down the stairs with a stair chair and I wanted to stop and re-grip. The person who was on the bottom of the stair chair said that he was on the stairs and he was not able to stop. We proceeded down the stairs. I felt a tear in my right shoulder. We made it down the stairs without dropping the patient and I had pain in my lower back and my right shoulder.

At the bottom of the stairs, they took

1 the QRP off my back and then relieved me of my 2 duties on the stair chair and another fireman then 3 carried the patient out to the ambulance. Is it accurate that there was just one 4 5 other firefighter assisting you carrying the chair down the stairs; is that correct? 6 7 Well, yeah, there was a top and the bottom of the chair. Only two people could 8 9 actually carry the chair. 10 You were at the top and the other was at 11 the bottom, correct? 12 That's correct. Α 13 All right. Now, sir, had you ever had 14 any prior injuries to either your right shoulder or 15 your back before this incident? 16 My right shoulder. I had rotator cuff 17 surgery done to the right shoulder. 18 The records indicate that was in 2018; is Q that correct? 19 20 Α That's correct. 21 What was the cause of that injury to your rotator cuff? 22 23 Α Well, I believe it was the amount of

times you have to carry that QRP, toss that QRP

- over your shoulder. It is a 50-pound bag. I would toss it over my shoulder close to, you know, 50 times a shift. You know, when you run 20 calls, you have to pick that bag up and set it down and pick it up and set it down. But it was not indicated that at a specific time so it was considered non-duty related.
 - Q Okay. Is it your testimony that you didn't injure it doing something else like playing sports or lifting weights or anything like that?

- A It is my testimony that I did not injure it that way.
- Q Subsequently were you able to rehabilitate it sufficient to return to work after that surgery in 2018?
- A Yes, I was able to rehabilitate. The PT record is in the material that you have down quite a ways but I did return to work in October of 2019.
- Q Okay. Now, let's return to this incident, which occurred in December, so several months later, you had this incident and you underwent some conservative treatment, in other words non-surgical treatment, to attempt to rehabilitate the shoulder, correct?

A Yes. That was done -- rehabilitate the shoulder was done after the conservative attempts to alleviate the pain in the back. But, yes, I did have PT.

- Q Did you also have steroid injections?
- A That was after the PT that was not effective, I did have a steroid injection. The relief lasted approximately a week or maybe less but I did have some relief.
- Q Can you describe for the board members today as you are here what if any pain or limitations you have with respect to your right shoulder and/or your back?
- A Well, I have pain and movement of the right shoulder. I am not able to put things away in the cabinets, you know, such as groceries and stuff, you know, over my head. If I put like the plates in the cabinet, I have to put like maybe two at a time. I am not able to carry any weight to put it up. Doing that, you know, such as like, you know, vacuuming the house, I wind up with pain in the shoulder following that.
- Q Okay. Now, since you went on layup have you engaged in any activity by which you earn

1 income? 2 No, I have not. Α 3 Have you engaged in any sporting Q activities? 4 Well, I am unable to row my boat, which I 5 built a siding wood rowboat. I am unable to use 6 7 that. I am able to ride a bicycle which is about the only activity other than walking that I can do 8 to continue a healthy lifestyle. 9 Okay. Are you taking any medications 10 11 prescribed by a physician for pain management? 12 Pain management, I am only taking Α 13 Ibuprofen at this time. 14 Do you have any appointments scheduled 15 with any physicians with respect to your treatment 16 of your right shoulder? 17 Α Not at this time. 18 Q There seemed to be an indication in the record that with respect to your low back there was 19 a recommendation for you to undergo some Work 20 21 Hardening? 22 Α That was precluded because of the 23 shoulder restriction. 24 In other words, you could not undergo the Q

```
1
     Work Hardening to address your lower back problem
2
     because of the limitations, the lifting
3
     limitations, on your right shoulder; is that
 4
     correct?
 5
               That is correct.
 6
               MR. PINELLI: Okay. Thank you, sir, that
7
     is all the questions I have at this time.
8
               CHAIRMAN FORTUNA:
                                   Trustees, any
9
     questions?
               Go ahead, Vince.
10
11
               MR. PINELLI: I call Dr. Peters.
12
                             (Witness previously sworn.)
13
                    MICHAEL I. PETERS, M.D.
14
     a witness herein, having been first duly sworn, was
15
     examined and testified as follows:
16
                          EXAMINATION
17
                       BY MR. PINELLI:
18
               Please, state your name.
           Q
               Michael I. Peters.
19
           Α
20
           Q
               You are a physician; is that correct?
21
               Yes.
           Α
22
               And you perform a function as a
           Q
23
     consultant to this fund?
24
               Yes, I do.
           Α
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1 In that capacity do you review medical 2 records, examine or interview applicants and report 3 to the Board? 4 Α Yes. 5 Q Did you file a written report with the Board that is marked as Board Exhibit 2? 6 7 Yes, I did. Α Doctor, could you briefly summarize -- or 8 9 strike that. Did you have the chance to interview 10 the applicant? 11 Α Yes, by telephone. And was the information he provided to 12 Q 13 you consistent with the medical records that you 14 examined before you interviewed him? 15 Α Yes, it was. 16 Can you briefly summarize for the benefit 17 of the Board what his current condition is? 18 Α As Paramedic in Charge Hickey described, he still has limitation in his range of 19 motion and strength of his right upper extremity at 20 21 the shoulder because of the labral tear and 22 bicipital tendinosis. He also has ongoing

radicular low back pain going down the right knee

and hip and thigh which intermittently causes

23

1 numbness. 2 He reported to me that he can't kneel 3 down and stand up quickly because of that low back discomfort and that his strength for overhead 4 5 reaching is limited. Based on those symptoms and limitations, 6 7 do you believe he would be able to perform his 8 assigned duties with the Fire Department? 9 Α No, he would not. 10 MR. PINELLI: All right. Thank you, 11 doctor, that is all the questions I have. 12 CHAIRMAN FORTUNA: Trustees, any 13 questions for the doctor? 14 MEMBER MCPHILLIPS: None. 15 MEMBER MURPHY: None. 16 MEMBER TEBBENS: I have none. 17 MEMBER MURPHY: I make a motion to grant 18 the benefits requested by Robert Hickey. 19 MEMBER SONI: Second. 20 CHAIRMAN FORTUNA: Motion by Trustee 21 Murphy seconded by Trustee Soni. 22 Trustee Valencia. 23 MEMBER VALENCIA: Yes. 24 CHAIRMAN FORTUNA: Trustee Annette 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 Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: I'd like to make a motion
for reexam consistent with the Board's policy.
MEMBER CONYEARS-ERVIN: Second.
CHAIRMAN FORTUNA: Motion for reexam by
Trustee Murphy seconded by Trustee
Conyears-Ervin.
Trustee Valencia.
MEMBER VALENCIA: Yes.
CHAIRMAN FORTUNA: Trustee Annette 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 Murphy.
MEMBER MURPHY: Yes.
CHAIRMAN FORTUNA: Trustee Tebbens.
MEMBER TEBBENS: Yes.
CHAIRMAN FORTUNA: And I am a yes.
Motion carries.
MEMBER MURPHY: Mr. President, counsel
has previously sent around proposed Findings of
Fact and Conclusions of Law. 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 MCPHILLIPS: Second.
CHAIRMAN FORTUNA: Motion by Trustee
Murphy seconded by Trustee McPhillips.
Trustee Valencia.

1	CHAIRMAN FORTUNA: Trustee Annette Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER MCPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Tebbens.
13	MEMBER TEBBENS: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	Motion carries.
16	Sir, based on the Findings of Fact made
17	by the Trustees, the Trustees have voted to grant
18	the benefit that you have requested. You will be
19	notified by mail of the Findings of Fact and the
20	Board's decision. Thank you and good luck.
21	MR. HICKEY: Thank you.
22	MEMBER MURPHY: Moving on to the next
23	one, Paramedic Oraha.
24	MR. PINELLI: Let the record reflect this

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1
     is a hearing on the application for a Duty
2
     Disability benefit by Paramedic Marline Oraha, if I
 3
     am pronouncing that correctly. Marline, are you on
     the line?
 4
 5
               MS. ORAHA: Good morning. Yes, I am.
     That's correct.
 6
 7
               MR. PINELLI: Okay.
                                    Thank you.
     before we start evidence I'd like to advise you of
8
 9
     some preliminary matters. First of all, there are
10
     eight trustees present to hear the evidence on your
11
     application. If you don't know you should know the
12
     Pension Code requires that you receive the yes vote
13
     of at least five of the eight trustees. Do you
14
     understand that?
15
               MS. ORAHA: Yes.
16
               MR. PINELLI: Secondly, it does not
17
     appear you have an attorney representing you.
                                                     Ιs
18
     it your desire to proceed without an attorney
19
     today.
               MS. ORAHA: Yes.
20
21
               MR. PINELLI: Lastly, it is the
22
     applicant's burden of proof to present sufficient
23
     evidence to the Board in order for the Board to
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grant the benefit that the applicant is seeking.

24

1 Do you understand it is your burden of proof? 2 MS. ORAHA: Yes. 3 MR. PINELLI: By way of procedures, I am 4 going to start by asking you some questions under 5 oath. The board members may or may not have questions of you. Then I will call Dr. Samo, the 6 7 Board's doctor, who interviewed you. If there is 8 anything I don't ask him that you think is 9 important for the Board to know, let me know and I 10 will give you that opportunity. Do you understand 11 the procedures? 12 MS. ORAHA: I do. Thank you. 13 MR. PINELLI: You're welcome. Could I have you raise your right hand, along with Dr. 14 15 Samo? 16 (Witnesses sworn.) 17 MARLINE ORAHA 18 a witness herein, having been first duly sworn, was examined and testified as follows: 19 20 **EXAMINATION** 21 BY MR. PINELLI: 22 Would you please state your name and 23 spell your last name for the record? 24 Sure. My name is Marline Oraha, Α

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     0-r-a-h-a.
2
               What is your current rank with the Fire
           Q
     Department?
 3
               Fire Paramedic.
 4
           Α
 5
           Q
               What was your last assignment before you
     went on layup?
 6
 7
               Ambulance 51.
           Α
8
               Directing your attention to the Board
           Q
 9
     Exhibits 1 through 13, you should have received a
10
     copy of those in advance of today's hearing. Did
11
     you get a copy of them?
               I did.
12
           Α
13
               Did you have the opportunity to review
           Q
     them?
14
               Yes.
15
           Α
16
               Do you have any objection to their
17
     admission into the record in support of your
18
     application?
19
               No.
           Α
20
               MR. PINELLI: Thank you.
21
               Mr. Chairman, I move for admission of
22
     Board Exhibits 1 through 13, without objection from
23
     the applicant.
24
                                   Exhibits are admitted
               CHAIRMAN FORTUNA:
```

1 | without objection.

2 MR. PINELLI: Thank you, sir.

3 | (Board Exhibits 1 through 13

BY MR. PINELLI:

Q Now, Ms. Oraha, you are applying for this disability benefit based upon an injury or injuries you sustained on November 24th of 2019; is that correct?

A That's correct.

Q Understanding the Board has had the opportunity to review your affidavit, which is marked as Board Exhibit 1B, could you just briefly describe for us today where you were and what happened to you to cause you the injury?

A Sure. Yes. On November 24, 2019, I was an on-duty fire paramedic on Ambulance 51. While driving the patient to the hospital, the ambulance was struck by a vehicle on the passenger side. My head hit the window and I had right shoulder and low back pain. I was transported and received treatment at Little Company of Mary. They then sent me to an orthopedic surgeon that did a MRI and found a complete rotator cuff tear. I had surgery

1 on February 10th of this year. 2 Around June I developed frozen shoulder 3 that causes pain and limited range of motion. this time I cannot lift, push or pull. I can't 4 5 move above shoulder height when reaching forward or sideways. For me doing basic things, putting on a 6 7 coat, combing hair, is challenging. I have been attending PT, getting steroid injections, 8 9 anti-inflammatories and pain meds. 10 Thank you. Had you ever injured that 11 right shoulder prior to this incident? 12 Α No. Since you went on layup, have you engaged 13 14 in any activities by which you earn income? 15 Α No. 16 Have you engaged in any sporting activity 17 of any kind? 18 Α No. Do you take any medications prescribed by 19 Q 20 a physician for pain management? 21 Yes, Tramadol. Α 22 Do you currently have any appointments 23 scheduled with your treating doctor for your right shoulder? 24

1	A I just had an appointment with him
2	December 10th. The next one will be around in four
3	to six weeks.
4	Q Has he indicated to you yet whether you
5	have reached maximum medical improvement?
6	A No. There is still improvements in range
7	of motion, PT, the steroid injections, the
8	anti-inflammatories. If there's improvement, it is
9	steady but slow.
10	MR. PINELLI: Thank you. That is all the
11	questions I have at this time.
12	CHAIRMAN FORTUNA: Trustees, any
13	questions?
14	MEMBER MCPHILLIPS: No questions.
15	MR. PINELLI: I with call Dr. Samo to
16	testify.
17	(Witness previously sworn.)
18	DANIEL SAMO, M.D.
19	a witness herein, having been first duly sworn, was
20	examined and testified as follows:
21	EXAMINATION
22	BY MR. PINELLI:
23	Q Sir, please state your name.
24	A Daniel Samo.

1 Q You are a physician; is that correct? 2 Α Yes. 3 Is a copy of your qualifications as a Q physician attached to the Board Exhibits? 4 5 Α Yes. Do you perform a function as a consultant 6 7 to this fund? 8 Yes. Α 9 In that capacity, do you review medical Q 10 records, examine or interview applicants and report to the Board? 11 12 Α Yes. 13 Did you file a written report with 14 respect to this applicant that is marked as Board Exhibit Number 2? 15 16 Α Yes. 17 Dr. Samo, could you just briefly 18 summarize what the state of her current condition? 19 Currently, as she stated, she has what is Α called adhesive capsulitis, frozen shoulder, that 20 21 is scarring across the joint, which will cause her 22 the pain and loss of range of motion. 23 She has been improving in therapy and other treatments and therefore additional surgery 24

1 has been delayed. The surgery that could be done 2 is called a MUA, Manipulation Under Anesthesia. 3 Basically puts the patient asleep and moves the shoulder through the range of motion to tear those 4 5 adhesions apart, but that's not done until the conservative treatments fail. Since her 6 7 conservative treatment is making her better, she is proceeding in that direction. 8 9 She is likely to continue to improve but 10 at this point she still has a lot of limitations 11 due to loss of range of motion and pain. 12 Would those limitations prevent her from Q performing her full assigned duties with the Fire 13 14 Department? 15 Α Yes. 16 MR. PINELLI: Thank you, doctor, that is 17 all the questions I have. 18 CHAIRMAN FORTUNA: Trustees any questions for the doctor? 19 20 MEMBER MCPHILLIPS: No questions. 21 MEMBER MURPHY: I'd like to make a motion 22 to grant the benefit requested by Marline Oraha. 23 MEMBER CONYEARS-ERVIN: Second. 24 CHAIRMAN FORTUNA: Motion on the floor to

1	grant by Trustee Murphy seconded by Trustee
2	Conyears-Ervin.
3	Trustee Valencia.
4	MEMBER VALENCIA: Yes.
5	CHAIRMAN FORTUNA: Trustee Annette Holt.
6	MEMBER NANCE-HOLT: Yes.
7	CHAIRMAN FORTUNA: Trustee
8	Conyears-Ervin.
9	MEMBER CONYEARS-ERVIN: Yes.
10	CHAIRMAN FORTUNA: Trustee Soni.
11	MEMBER SONI: Yes.
12	CHAIRMAN FORTUNA: Trustee McPhillips.
13	MEMBER MCPHILLIPS: Yes.
14	CHAIRMAN FORTUNA: Trustee Murphy.
15	MEMBER MURPHY: Yes.
16	CHAIRMAN FORTUNA: Trustee Tebbens.
17	MEMBER TEBBENS: Yes.
18	CHAIRMAN FORTUNA: And I am a yes.
19	Motion carries.
20	MEMBER MURPHY: I'd like to make a motion
21	for reexam consistent with the Board's policy.
22	MEMBER MCPHILLIPS: Second.
23	CHAIRMAN FORTUNA: There's a motion for
24	reexam by Trustee Murphy seconded by Trustee

1	McPhillips.
2	Trustee Valencia.
3	MEMBER VALENCIA: Yes.
4	CHAIRMAN FORTUNA: Trustee Annette Holt.
5	MEMBER NANCE-HOLT: Yes.
6	CHAIRMAN FORTUNA: Trustee
7	Conyears-Ervin.
8	MEMBER CONYEARS-ERVIN: Yes.
9	CHAIRMAN FORTUNA: Trustee Soni.
10	MEMBER SONI: Yes.
11	CHAIRMAN FORTUNA: Trustee McPhillips.
12	MEMBER MCPHILLIPS: Yes.
13	CHAIRMAN FORTUNA: Trustee Murphy.
14	MEMBER MURPHY: Yes.
15	CHAIRMAN FORTUNA: Trustee Tebbens.
16	MEMBER TEBBENS: Yes.
17	CHAIRMAN FORTUNA: And I am a yes.
18	Motion carries.
19	MEMBER MURPHY: Fund counsel has
20	previously sent around proposed Findings of Fact
21	and Conclusions of law in this matter. Having had
22	a chance to review those, I make a motion to adopt
23	Findings of Fact and Conclusions of Law in this
24	matter.

1	MEMBER NANCE-HOLT: Second.
2	CHAIRMAN FORTUNA: There is a motion by
3	Trustee Murphy seconded by Trustee Holt.
4	Trustee Valencia.
5	MEMBER VALENCIA: Yes.
6	CHAIRMAN FORTUNA: Trustee Annette Holt.
7	MEMBER NANCE-HOLT: Yes.
8	CHAIRMAN FORTUNA: Trustee
9	Conyears-Ervin.
10	MEMBER CONYEARS-ERVIN: Yes.
11	CHAIRMAN FORTUNA: Trustee Soni.
12	MEMBER SONI: Yes.
13	CHAIRMAN FORTUNA: Trustee McPhillips.
14	MEMBER MCPHILLIPS: Yes.
15	CHAIRMAN FORTUNA: Trustee Murphy.
16	MEMBER MURPHY: Yes.
17	CHAIRMAN FORTUNA: Trustee Tebbens.
18	MEMBER TEBBENS: Yes.
19	CHAIRMAN FORTUNA: And I am a yes.
20	Motion carries.
21	Based on the Findings of Fact made by the
22	Trustees, the Trustees have voted to grant the
23	benefit that you have requested. You will be
24	notified by mail of the Findings of Fact and the

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1
     Board's decision. Thank you and good luck to you.
2
               MS. ORAHA: Thank you. Thank you for all
 3
     that you do for us.
               MEMBER MURPHY: Moving on to Paramedic
 4
 5
     Gabriel Palominos.
               MR. PINELLI: Let the record reflect this
 6
7
     is a hearing on the application of Paramedic
     Gabriel Palominos for a Line of Duty Disability.
8
9
               Mr. Palominos has an attorney who has
10
     filed an appearances on his behalf. Is the
11
     attorney and Mr. Palominos on the call?
12
               MR. TORRES: They are both on the call.
13
               MR. PINELLI: Okay. Thank you.
14
               This is the final hearing on the docket
15
     for today. Counsel, can you please identify
16
     yourself for the record?
               (No response.)
17
18
               MS. BURNS: Mr. Palominos, can you
19
     contact your lawyer?
20
               MR. PINELLI: Somebody just texted me and
     said "I am trying to unmute".
21
22
               MS. BURNS: We can jump to approval of
23
     Board Physician Review.
24
               CHAIRMAN FORTUNA: That would be Item 5,
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1	Bill.
2	MEMBER MURPHY: Moving on to Item 5,
3	Approval a Board Physician Review of Disability
4	Recipients. I move to approve the Board's
5	physician recommendations.
6	MEMBER NANCE-HOLT: Second.
7	CHAIRMAN FORTUNA: There is a motion to
8	approve by Trustee Murphy seconded by Trustee
9	Holt.
10	CHAIRMAN FORTUNA: Trustee Annette Holt.
11	MEMBER NANCE-HOLT: Yes.
12	CHAIRMAN FORTUNA: Trustee
13	Conyears-Ervin.
14	MEMBER CONYEARS-ERVIN: Yes.
15	CHAIRMAN FORTUNA: Trustee Soni.
16	MEMBER SONI: Yes.
17	CHAIRMAN FORTUNA: Trustee McPhillips.
18	MEMBER MCPHILLIPS: Yes.
19	CHAIRMAN FORTUNA: Trustee Murphy.
20	MEMBER MURPHY: Yes.
21	CHAIRMAN FORTUNA: Trustee Tebbens.
22	MEMBER TEBBENS: Yes.
23	CHAIRMAN FORTUNA: And I am a yes.
24	Motion carries.

1	MS. BURNS: Do you want to go to
2	Expenditures, Number 7?
3	CHAIRMAN FORTUNA: Bill, go to Number 7
4	and then we will come back.
5	MEMBER MURPHY: 7 is Expenditures.
6	Administrative expenses for Board review and
7	approval. I make a motion to approve the
8	administrative expenses as presented.
9	MEMBER CONYEARS-ERVIN: Second.
10	CHAIRMAN FORTUNA: There's a motion by
11	Trustees Murphy seconded by Conyears-Ervin.
12	CHAIRMAN FORTUNA: Trustee Annette Holt.
13	MEMBER NANCE-HOLT: Yes.
14	CHAIRMAN FORTUNA: Trustee
15	Conyears-Ervin.
16	MEMBER CONYEARS-ERVIN: Yes.
17	CHAIRMAN FORTUNA: Trustee Soni.
18	MEMBER SONI: Yes.
19	CHAIRMAN FORTUNA: Trustee McPhillips.
20	MEMBER MCPHILLIPS: Yes.
21	CHAIRMAN FORTUNA: Trustee Murphy.
22	MEMBER MURPHY: Yes.
23	CHAIRMAN FORTUNA: Trustee Tebbens.
24	MEMBER TEBBENS: Yes.

1 CHAIRMAN FORTUNA: And I am a yes. 2 Motion carries. 3 Executive Director's Report. MEMBER MURPHY: Moving to the Executive 4 5 Director's Report. Steve, could you please give us your report? 6 7 MR. SWANSON: Sure. A couple of items that we have in board pack under the Executive 8 9 Director. 10 The first one is our annual report that 11 we have to submit to the Governor. It is required by the Pension Code. It is due at the end of the 12 13 year for our use of diverse investment managers. 14 Lorna is always extremely helpful in putting that 15 all together so we have that prepared on time. Ιt 16 is there for the Trustees review. 17 Next we have the handout that Lorna and I 18 presented at the Senate hearing. Again, on our use of diverse investment managers. 19 20 I felt the Senate hearing went well. 21 There was only one Senator that asked us a few 22 questions and Lorna did a great job of really 23 handling the questions. So, again, that is there 24 for the Trustees review, if you want to see what

1 was presented. 2 MEMBER MCPHILLIPS: Steve, can you 3 elaborate on some of the questions that were asked? MR. SWANSON: One was our lack of Black 4 5 and Brown investment staff, Fund investment staff. I did inform the Senator that we only have one 6 7 member of our Fund that is considered investment staff and that is Lorna, which explains probably 8 9 our lack of diversity. 10 The next he asked also regarding Lorna 11 the use of minority brokers. If someone falls 12 outside of our policy, what is done. Lorna 13 explained in detail what is done in terms of first 14 sending a letter, following up, seeing if the Board 15 would like to speak with the manager, and the steps 16 involved in that. 17 Those are the two that pop off the top of 18 my head. I don't know what else was asked beyond that. 19 20 MEMBER MCPHILLIPS: Was this the same 21 Senator? MR. SWANSON: Yes, just one Senator asked 22 23 the questions. It was the co-chair Senator Harris. 24 MEMBER MCPHILLIPS: Did you push back

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1
     saying that if we were fully funded there would be
 2
     more ability to hire more minorities management?
 3
               MR. SWANSON: That is our part of our
     presentation. If you look at the one pager, that
 4
 5
     is that we start with. We are 18 percent funded.
     We have a 5 billion dollar liability. We suffered
 6
 7
     a negative cash flow for a number of years. Even
     most recent year you are selling off 50 to 60
8
 9
     million dollars. So that limits our ability to
10
     invest, which then limits your ability to invest
11
     with diverse managers overall. So Lorna and I
     covered that right from the very beginning.
12
13
               MEMBER MCPHILLIPS: What was his response
14
     to that?
15
               MR. SWANSON: He didn't have one.
                                                   He had
16
     specific questions that he wanted to ask.
17
               MEMBER MCPHILLIPS: Thanks, Steve.
18
     appreciate it.
               MR. SWANSON: Also, I have the
19
20
     preliminary Budget in board pack. I also sent
     along some preliminary salary information to the
21
22
     Trustees separately in an email.
23
               The preliminary budget right now we are
24
     looking at a 4 percent projected decrease compared
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to the 2020 Budget that was approved by the Board.

Jackie and I will be available to meet with the Trustees ahead of the January meeting to answer any questions, go through it in detail. So I will be reaching out to the Trustees after this meeting to see when we can get something scheduled.

Also, the next item I have is the new auditor that was hired. We have been able to complete the contract at least on our end. It is with the auditor and we're just waiting for their approval. We're expecting it shortly. They have been very easy to work with so far.

Also, I did just have one comment to the Trustees, who I sent out at the Fund President's request, if anyone is having difficulty attending the January 20th meeting, Wednesday, January 20th, which also coincides with the Presidential inauguration, please let me know because if we need to reschedule that meeting the President would like to get moving on that sooner as opposed to later.

MS. BURNS: Is Mr. Marconi available now?

MR. MARCONI: Can you hear me?

MEMBER CONYEARS-ERVIN: I was going to say, certainly, for an inauguration on January

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1
     20th, as historic as that will be, I appreciate you
2
     asking about the meeting.
 3
               And I believe that -- I don't know if a
     formal announcement has been made but if I was a
 4
 5
     betting person I would say that it is probably
     going to be virtual. I think they probably already
 6
 7
     announced that, but nevertheless I do not believe
     that this will interfere and I do appreciate you
8
9
     proposing that.
10
               CHAIRMAN FORTUNA:
                                   Thank you.
11
               MEMBER TEBBENS: Pertaining to that
     meeting, Mr. President, I am at the firehouse on my
12
13
     shift that day.
14
               CHAIRMAN FORTUNA: We'll make sure you
15
     are off.
16
               MEMBER TEBBENS:
                                Thank you.
17
               MS. BURNS: Vince, if you would like to
18
     go back to the regular order. Trustee Murphy, we
     will finish up the hearing.
19
               MR. PINELLI: We now have Mr. Palominos
20
21
     on the line, along with his counsel. Counsel,
22
     could you please identify yourself for the record.
23
               MR. MARCONI: Jerry Marconi for the
24
     record.
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1
               MR. PINELLI: Before we start, counsel,
2
     did you receive a copy of Board Exhibits 1 through
 3
     13?
               MR. MARCONI: Yes, I did.
 4
 5
               MR. PINELLI: Do you have any objection
     to their admission into the record?
 6
 7
               MR. MARCONI: I have no objection.
8
               MR. PINELLI: Mr. President, I move for
9
     admission of Board Exhibits 1 through 13, without
10
     objection from the applicant.
11
               CHAIRMAN FORTUNA: Admitted without
12
     objection.
13
               MR. PINELLI: Thank you, sir.
14
               (Board Exhibits 1 through 13
15
                were admitted into evidence.)
               MR. PINELLI: Then we are ready to
16
17
     proceed. Counsel, do you have any witnesses you'd
18
     like to call? And, please, bear in mind that the
19
     Board has had the benefit of your client's sworn
20
     statement. So to the extent we don't have to
21
     duplicate information, that would be helpful.
22
               MR. MARCONI: Yes.
                                   I will be very, very
23
     quick. So I will virtually call Gabriel Palominos.
24
               MR. PINELLI: Mr. Palominos and Dr. Samo,
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1	could you please raise your right hands?
2	(Witnesses sworn.)
3	MR. PINELLI: Thank you. You may
4	proceed.
5	GABRIEL E. PALOMINOS
6	a witness herein, having been first duly sworn, was
7	examined and testified as follows:
8	EXAMINATION
9	BY MR. MARCONI:
10	Q Mr. Palominos, if you could just spell
11	your name. I am not sure if there is a court
12	reporter, just spell your last name.
13	A Good morning. This is P-a-l-o-m-i-n-o-s.
14	Q You are currently a member of the Chicago
15	Fire Department?
16	A That's correct, I am a Fire Paramedic for
17	the Chicago Fire Department.
18	Q You were hired on November 1, 2010; is
19	that correct?
20	A Correct.
21	Q Now in the records you filed an
22	application for disability benefits on September 7,
23	2020, correct?
24	A Correct.

Q And that stemmed from an accident that happened November 18, 2018, correct?

A Yes.

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Q If you could just tell the Board exactly what happened on November 18th which lead you to seek medical treatment.

So, on November 18th, we were called to the home of a patient. He needed to go to the emergency room. We got the patient onto the stretcher. Lifting the patient into the ambulance, I felt a pop in the upper back area of my shoulder. I didn't have any immediate pain with that. Once we got to the hospital, we were transporting the patient to, we did have some assistance lifting him out of the ambulance, but then in the hospital transferring him over to the gurney the patient began to kind of roll off to the side before I was able to get the bar up on the gurney. Put my arms out to hold him up and that is when I felt the tear. It was a very intense pain that was immediate once I put my hands on the patient's back.

Q Let me ask you to references in the documents according to the (audio distortion) I

1 think anywhere between 500 and 550? 2 Yeah, I believe my partner documented it Α 3 as about 500 pounds. He was definitely a very large. He was definitely about 450 pounds. 4 5 That wasn't a typo? Α I'm sorry? 6 7 That is not a typographical error, that person did weigh 450? 8 9 Α I can't remember exactly what the 10 patient told us his weight was, but yeah he was 11 about 450 or so. 12 MR. PINELLI: Counsel, before you 13 continue your questioning, for some reason you are 14 breaking up at certain points. I don't know if you 15 can position your microphone in a way to try 16 minimize it if possible. 17 MR. MARCONI: I will try to move my 18 location. Is that better? MR. PINELLI: A little bit. 19 BY MR. MARCONI: 20 21 I just don't want to lose you. So, Mr. Palominos, after you felt the 22 23 pain and suffered what you thought was an injury, 24 what did you do next for treatment?

A So the next thing that happened was I alerted my partner to the pain I was having. We alerted our Field Chief and I was transported over to University of Chicago where I was seen in the emergency room. They did x-rays and recommended that I follow up with my primary.

I alerted the Fire Department Medical to the fact that I was injured. They recommended also that I followup with my personal care physician which I did. She ordered a MRI and made recommendations to see ortho.

Upon my first visit with Medical, CFD Medical, they made an appointment for me to see Dr. Nicholas Garvis with Loyola and he took over my care.

He ordered a followup with the MRI that Dr. Shaughnessy ordered which I got in December.

And then in February they proceeded with the arthroscopic surgery and the rotator cuff repair.

I did have some physical therapy before the MRI and then started PT for the shoulder surgery about three or four weeks after the surgery.

Q You had that surgery February 3, 2020; is

that correct?

- A Correct.
- Q You had therapy after the surgery to get 4 you back to work?
 - A I did have surgery after surgery, yes. I mean therapy after the surgery, yes.
 - Q Was that therapy successful in that you were able to return to work for any period?

A I never got to a point where the doctor was comfortable to return me to work. I did have periods where the physical therapy seemed very successful and then I would have these flare-ups that left me unable to participate in anything other than passive motion therapy.

The doctor, Dr. Garvis, did administer a cortisone injection with very limited success. It was only helpful for about a week, maybe two weeks, and then we also did a steroid pack in I believe at the end of July.

We did attempt to do work conditioning at the beginning of August, but it was the same thing that happened. We were able to do it for about -- I was able to get through about five sessions before the pain in the shoulder and the neck got so

1 bad that the physical therapist said that it needed 2 to be addressed before we could continue, that is 3 when I was referred to Best. Are you currently treating with Dr. Best? 4 5 Α Currently I am with Dr. Best. I have not seen Dr. Garvis in about four months or so. 6 7 Is that basically for pain management at this point? 8 9 At this point, yeah. Dr. Best ordered a Α 10 MRI of my neck. I am on Gabapentin right now to 11 try and limit the nerve pain I am experiencing down 12 my left arm and we tried some physical therapy with 13 no change. I will be seeing him for a cervical 14 epidural this week actually. 15 Q (Audio distortion) You are in therapy or 16 at least continue to be treated with the hope that 17 you can return to work; is that correct? 18 Α That is the hope that the cervical 19 epidural will get me to a point where we can continue rehabbing the shoulder. 20 21 MR. MARCONI: I don't have anything else. MR. PINELLI: Trustees, any questions? 22 23 MEMBER MCPHILLIPS: No questions. 24 MR. PINELLI: Mr. Chairman, I just have a

1	couple of questions, if I may.
2	EXAMINATION
3	BY MR. PINELLI:
4	Q Mr. Palominos, had you ever had any
5	injury to your left shoulder prior to the date of
6	this incident?
7	A No, I have not.
8	Q And since you went on layup have you
9	engaged in any activity by which you earn income?
10	A No, sir.
11	Q Have you engaged in any sporting
12	activities of any kind?
13	A No, sir.
14	MR. PINELLI: Thank you. That is all the
15	questions I have, Mr. President.
16	CHAIRMAN FORTUNA: Trustees, any
17	questions for Vince?
18	MR. PINELLI: Counsel, do you have any
19	other witnesses you wish to present at this time
20	before I call Dr. Samo?
21	MR. MARCONI: I do not.
22	(Witness previously sworn.)
23	DANIEL SAMO, M.D.
24	a witness herein, having been first duly sworn, was

1	examined and testified as follows:
2	EXAMINATION
3	BY MR. PINELLI:
4	Q Then I would call Dr. Samo. Please,
5	state your, name, sir.
6	A Daniel Samo.
7	Q And you're a physician; is that correct?
8	A Yes.
9	Q And is A copy of your qualifications as a
10	physician attached to the Board Exhibits?
11	A Yes.
12	Q Do you perform a function as a consultant
13	to this Fund?
14	A Yes.
15	Q In that capacity, do you review medical
16	records, examine or interview applicants and report
17	to the Board?
18	A Yes.
19	Q Did you file a written report with the
20	Board marked as Board Exhibit 2?
21	A Yes.
22	Q And, Dr. Samo, when you interviewed Mr.
23	Palominos was the information he provided you
24	consistent with the medical records you had

reviewed?

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Α Yes.

Α

Can you briefly describe for us what the Q records indicate as to his current condition?

Currently he continues to have symptoms probably both from his shoulder and his neck. Ιt is not unusual to have some difficulties sometimes figuring out whether pain comes from the neck or the shoulder or sometimes it can be both. Sometimes it seems like it is a neck problem and it is really shoulder and visa versa or sometimes both.

I think that is where he is right now. So he continues to have some pain in the neck with radiation into his arm and also pain and loss of range of motion and strength due to his shoulder problems.

He's relatively -- well, not relatively, he's a young man. 38 years old I believe.

> Α Yes.

So given that, would you expect that he stands a reasonable chance of rehabilitating the shoulder to the point that he might be able to return to work?

1 Α Yes. 2 But in his current condition he would not Q 3 be able to perform full unrestricted duties; is that correct? 4 5 That is correct. MR. PINELLI: Thank you. That is all the 6 7 questions I have. 8 Counsel, do you have any questions? 9 CHAIRMAN FORTUNA: Any questions for the doctor? 10 11 MR. MARCONI: I have no questions for the doctor. 12 13 MR. PINELLI: Do you rest? Do you have 14 any other evidence to present? 15 MR. MARCONI: I have no other evidence 16 and I rest. 17 MR. PINELLI: Mr. President, the record 18 is concluded and the evidence is completed on this 19 matter. 20 CHAIRMAN FORTUNA: Thank you, Vince. 21 MEMBER MURPHY: I'd like to make a motion 22 to grant the benefit requested by Gabriel 23 Palominos. 24 MEMBER NANCE-HOLT: Second.

1	CHAIRMAN FORTUNA: Motion by Trustee
2	Murphy seconded by Trustee Holt.
3	Trustee Annette Holt.
4	MEMBER NANCE-HOLT: Yes.
5	CHAIRMAN FORTUNA: Trustee
6	Conyears-Ervin.
7	MEMBER CONYEARS-ERVIN: Yes.
8	CHAIRMAN FORTUNA: Trustee Soni.
9	MEMBER SONI: Yes.
10	CHAIRMAN FORTUNA: Trustee McPhillips.
11	MEMBER MCPHILLIPS: Yes.
12	CHAIRMAN FORTUNA: Trustee Murphy.
13	MEMBER MURPHY: Yes.
14	CHAIRMAN FORTUNA: Trustee Tebbens.
15	MEMBER TEBBENS: Yes.
16	CHAIRMAN FORTUNA: And I am a yes.
17	Motion carries.
18	MEMBER MURPHY: I would like to make a
19	motion for reexam consistent with the Board's
20	policy.
21	MEMBER SONI: Second.
22	CHAIRMAN FORTUNA: Motion for reexam by
23	Trustee Murphy seconded by Trustee Soni.
24	Trustee Annette Holt.

1	MEMBER NANCE-HOLT: Yes.
2	CHAIRMAN FORTUNA: Trustee
3	Conyears-Ervin.
4	MEMBER CONYEARS-ERVIN: Yes.
5	CHAIRMAN FORTUNA: Trustee Soni.
6	MEMBER SONI: Yes.
7	CHAIRMAN FORTUNA: Trustee McPhillips.
8	MEMBER MCPHILLIPS: Yes.
9	CHAIRMAN FORTUNA: Trustee Murphy.
10	MEMBER MURPHY: Yes.
11	CHAIRMAN FORTUNA: Trustee Tebbens.
12	MEMBER TEBBENS: Yes.
13	CHAIRMAN FORTUNA: And I am a yes.
14	Motion carries.
15	MEMBER MURPHY: Counsel has previously
16	sent around proposed Findings of Fact and
17	Conclusions of Law in this matter. Having had a
18	chance to review them, I make a motion to adopt the
19	Findings of Fact and the Conclusions of Law in this
20	matter.
21	MEMBER CONYEARS-ERVIN: Second.
22	CHAIRMAN FORTUNA: There's a motion by
23	Trustee Murphy seconded by Trustee
24	Conyears-Ervin.

1	
1	CHAIRMAN FORTUNA: Trustee Annette Holt.
2	MEMBER NANCE-HOLT: Yes.
3	CHAIRMAN FORTUNA: Trustee
4	Conyears-Ervin.
5	MEMBER CONYEARS-ERVIN: Yes.
6	CHAIRMAN FORTUNA: Trustee Soni.
7	MEMBER SONI: Yes.
8	CHAIRMAN FORTUNA: Trustee McPhillips.
9	MEMBER MCPHILLIPS: Yes.
10	CHAIRMAN FORTUNA: Trustee Murphy.
11	MEMBER MURPHY: Yes.
12	CHAIRMAN FORTUNA: Trustee Tebbens.
13	MEMBER TEBBENS: Yes.
14	CHAIRMAN FORTUNA: And I am a yes.
15	Motion carries.
16	Mr. Palominos, based on the Findings of
17	Fact made by the Trustees, the Trustees have voted
18	to grant the benefit that you have requested. You
19	will be notified by mail of the Findings of Fact
20	and the Board's decision.
21	Thank you and good luck.
22	MR. PALOMINOS: Thank you, sir. Thank
23	you sirs and madams of the Board.
24	CHAIRMAN FORTUNA: Good luck.

1 MR. PINELLI: That concludes the 2 disability hearings. 3 MEMBER MURPHY: Mr. President, I would like to move on to Item 6 and turn it over Lorna to 4 5 walk us through the Investment agenda. MS. SCOTT: The first item is the 6 7 Investment Report. Let's start right away with performance and Marc can go to the next slide. 8 9 This slide shows performance monthto-date for November. November was a great month. 10 11 The slide shoes performance for a variety of asset classes that the Fund is invested in. Note that 12 13 everything is positive and very strongly positive. 14 You will note strong outperformance by 15 U.S. small cap up 18.4 percent, which outperforms 16 U.S. large cap, which was up 11.8 percent. 17 As you all know, the Fund is more heavily 18 invested in small cap than the benchmark. Whereas, this has hurt us all year long, it is nice to see 19 this reversal in November. 20 21 The next slide shows the performance of 22 the various asset classes for the year-to-date 23 period. You will note that not everything is

positive. The strong November performance wasn't

24

enough to eliminate the investment being pretty
much dominated all year long and that is that
strong outperformance of U.S. growth which is up
31.8 percent versus U.S. value which is still down
and down 1.2 percent.

You will also note on the right side of the chart, Commodities and REITS remain in negative territory for the year-to-date. We do have allocations to Commodities and REITS but our active managers are going to help us a little bit there.

Let's move onto the Fund performance on the next slide. For the year, for November the Fund is up 9.1 percent. Let me just pause here. It is up 9.1 percent ahead of the benchmark. This again was a very, very strong month and that strong month performance was enough to pull the year-to-date return into positive territory. So year-to-date the Fund is up 7.1 percent.

I would love to stop the investment report right here and just end with that, but we have a few other items to cover.

Again, just to relish this, we went from being negative year-to-date now being positive in one month is just feeling really, really good.

We are underperforming our benchmark which was up 8.8 percent. The next slide kind of delves into why. Here we try to explain how we are under or over performing the benchmark.

The thing is we will perform differently than the benchmark in two distinct ways. One through asset allocation, that is having different weights than the benchmark, being off that policy target will cause performance differences. The second way is the use of active management and that includes style back, that small cap bias.

So for the month the Fund outperformed the benchmark and this outperformance was primarily due to manager selection and that is more specifically is picking mid-cap value or mid-cap gross stock did really well for the month.

Under performance year-to-date, though, is coming equally from asset allocation. Again being off target and from managers style performance.

The next slide goes into more detail. So year-to-date the Fund is up 7.1 percent. We can see that in column three, versus the benchmark, which is in column four.

Let's actually focus on the last three columns. These columns show what is contributing to that Fund performance versus the benchmark.

First, the allocation. This is having different weights than the benchmark. Most of that you will notice is due to our allocation in cash.

And you will note that the Fund had an allocation of weight to cash whereas the policy benchmark does not.

Holding cash in a strong market against the benchmark that doesn't have any cash this causes underperformance. This is a cash drag having uninvested cash in a strong market.

Looking at selection, the biggest director to performance was the benchmark is coming from that liquid diversifying asset class. Most of that underperformance is due to BlackRock's portfolio, which is down 30 percent for the year.

If you look at the contributions for the other classes, strong November performance went a long way in closing the performance gap with the benchmark. That rebound in value and small cap helped in equities. In fixed income, the Loomis and Western portfolios are now both outperforming

1 their benchmark year-to-date.

Again, it was very nice to see that recovering in November. It is nice that we didn't have to sell assets throughout the year, that these accounts were able to rebound and recover.

I am really looking forward to being in a position where we are going to be cash flow positive and we won't have to sell, particularly when there is a lot of volatility in the market.

So the next slide is our allocation to diverse managers. This slide shows our current allocation.

You will note with the reduction of Globeflex, the international small cap portfolio, we were under target in our emerging MWDBE allocation. This is something Brady and I are looking at. Given that we really don't have distributions to invest and we're cash flow negative, this goal is going to be difficult to achieve, unless we have a reason to change any existing managers.

Otherwise, looking at the next section, our total MWDBE allocation, we have a goal of 24 percent. We have 18.7 percent allocated. So we

1 are achieving our goal within our total MWDBE
2 allocation.

The next couple of slides provide additional data for your reference. I am going to leave those for your review.

Let's move onto the next item on the agenda, the MWDBE broker utilization. So this first slide is our equity commissions. We have a goal of 22 percent and then year-to-date through September 30th equity managers spent 326,000 in commissions and 97,000 or 29.7 percent with MWDBE brokers. In total we are on track to meet our 22 percent.

You will notice some managers that are lagging. The one that bothers me the most is the Mellon U.S. large cap equity. I have had several conversations with this firm emphasizing the goal and it's importance to the Board and they say they are continuing to work for meeting our goal. Right now they are about \$3600 short to get to our 22 percent allocation goal.

Now they do understand our frustration and as a gesture of goodwill and acknowledgment of our longstanding partnership, which we have

invested with them since 1998, they have actually offered to rebate us \$15,000 in our next fee invoice. This is a generous, generous offer.

They know they still have to meet our utilization goals. They know they will continue to try and they will continue to build relationships with brokers to do that, but they did want the Board to know they really value our partnership.

MEMBER CONYEARS-ERVIN: Lorna, I wanted to say -- and thank you so much to you and Callan for what you all are doing just to make certain that we are intentional about these MWDBE goals. I appreciate your conversation with Mellon. I also appreciate Mellon acknowledging and wanting to discuss a rebate and offering the rebate. Of course, we accept, right.

I also want to be careful in that they understand as you mentioned that that does not offset what our expectation is.

So I appreciate the conversations but when I look at the total commission being the most, the largest, for the large cap, I would like to make a motion for the Board to just send a formal letter.

```
1
               I appreciate the conversations that you
2
     are having, but I would like to send a formal
     letter to Mellon stressing to them what our concern
 3
     is and what our expectations are.
 4
 5
               CHAIRMAN FORTUNA: Do you want to read
     that motion?
 6
 7
               MS. BURNS: The Treasurer just made it,
     sir. I just suggest you get a second. Motion by
8
     the Treasurer to send a letter.
9
10
               CHAIRMAN FORTUNA: Motion by Trustee
11
     Conyears-Ervin.
12
               MEMBER NANCE-HOLT: Second by Trustee
13
     Holt.
14
               MEMBER MCPHILLIPS: On the question, Dan.
15
     Can we just draft a letter first and then vote on
16
     it next month?
17
               TRUSTEE CONYEARS-ERVIN: I would like to
18
     make a motion now. We can certainly send a letter
     around for review, if the Trustees would like that,
19
20
     it is absolutely okay.
21
               MEMBER MCPHILLIPS: That would be great.
     I am all for sending a letter but I don't want it
22
23
     open-ended where I don't know what the letter says
     until we see it.
24
```

1	MEMBER CONYEARS-ERVIN: Certainly. I					
2	would like to proceed with the motion and we are					
3	open to sending the document around.					
4	As you know, Trustees, this is not					
5	unusual for us to make a motion and not seeing the					
6	correspondence and yet the correspondence is sent					
7	around and we can provide input.					
8	CHAIRMAN FORTUNA: Let the motion reflect					
9	that update. So there is as motion by Trustee					
10	Conyears- Ervin seconded by Trustee Holt.					
11	CHAIRMAN FORTUNA: Trustee Annette Holt.					
12	MEMBER NANCE-HOLT: Yes.					
13	CHAIRMAN FORTUNA: Trustee					
14	Conyears-Ervin.					
15	MEMBER CONYEARS-ERVIN: Yes.					
16	CHAIRMAN FORTUNA: Trustee Soni.					
17	MEMBER SONI: Yes.					
18	CHAIRMAN FORTUNA: Trustee McPhillips.					
19	MEMBER MCPHILLIPS: Yes.					
20	CHAIRMAN FORTUNA: Trustee Murphy.					
21	MEMBER MURPHY: Yes.					
22	CHAIRMAN FORTUNA: Trustee Tebbens.					
23	MEMBER TEBBENS: Yes.					
24	CHAIRMAN FORTUNA: And I am a yes.					

1 Motion carries. 2 MEMBER CONYEARS-ERVIN: Thank you, 3 Trustees. MS. SCOTT: The next page is our fixed 4 5 income trading. So here we have a goal of 12 percent of par to be traded with MWDBE brokers. 6 7 Year-to-date through September 30th 17 percent has been traded with MWDBE. We are on track to meet 8 9 this goal as well. 10 The next item on the agenda is Manager 11 Updates. I will turn it over to Brady. 12 MR. O'CONNELL: Thank you, Lorna. 13 We do have one formal recommendation to 14 the Board. So in the materials you saw a memorandum from Callan and it is our recommendation 15 16 that the Board terminate BlackRock's Style 17 Advantage Strategy. 18 There are really three drivers of concern when we think about this portfolio. First and 19 20 foremost, this is a new strategy. We added it in 21 the fourth quarter of 2019. 22 The underperformance that we experienced 23 in 2020 was concerning. We witnessed 24 underperformance both when the equity market was

going down and then also when equity markets, risky
assets, the global economy, recovered after the
first quarter.

Exacerbating underperformance is the second issue that concerns us, which is changes in the portfolio management team assigned to this account.

So as detailed on the next page of the letter, the CIO assigned to this strategy, one of the named portfolio managers, Ked Hogan. I believe he was the one that presented to the board about a year ago.

He is being moved to take more of a research focus strategy or research focused role within BlackRock.

And then, lastly, we have seen the assets that are undermanagement in this strategy decrease as performance has struggled. That really causes us concern about the amount of resources and support BlackRock will give this strategy within a big organization.

Those three strategies; performance, team and then assets undermanagement, really are leading us to recommend that we make a change here.

1	Terminate the Style Advantage Strategy and move the							
2	assets into the William Blair Global Macro							
3	Strategy. We are looking for a motion.							
4	MS. BURNS: So the record reflects that							
5	based on the recommendation of the Fund CIO and the							
6	Fund's investment consultant, there is a motion to							
7	approve the termination of the BlackRock's Style							
8	Advantage Strategy at such time and in such manner							
9	as determined by the CIO in her discretion.							
10	MEMBER MURPHY: I'd like to make that							
11	motion.							
12	CHAIRMAN FORTUNA: That motion is made by							
13	Trustee Murphy. Is there a second?							
14	MEMBER NANCE-HOLT: Second.							
15	CHAIRMAN FORTUNA: Trustee Annette Holt.							
16	MEMBER NANCE-HOLT: Yes.							
17	CHAIRMAN FORTUNA: Trustee							
18	Conyears-Ervin.							
19	MEMBER CONYEARS-ERVIN: Yes.							
20	CHAIRMAN FORTUNA: Trustee Soni.							
21	MEMBER SONI: Yes.							
22	CHAIRMAN FORTUNA: Trustee McPhillips.							
23	MEMBER MCPHILLIPS: Yes.							
24	CHAIRMAN FORTUNA: Trustee Murphy.							

1 MEMBER MURPHY: Yes. 2 CHAIRMAN FORTUNA: Trustee Tebbens. 3 MEMBER TEBBENS: Yes. CHAIRMAN FORTUNA: And I am a yes. 4 5 Motion carries. MS. SCOTT: On to the next item is our 6 7 cash needs. I will turn this over to Jackie. 8 MS. VLAHOS: As you can see as of December 11th our current cash balance was 10.3 9 10 million dollars. We're still anticipating one more 11 salary contribution by the end of the month of 12 1 million 850,000. Bringing us to a current 13 available cash balance of a little over 12 million 14 dollars. 15 With our benefit checks for this month as 16 well as Death Benefits, Refunds or Office Payables, 17 our current expenditures for December is going to 18 be approximately 34,275 million dollars. Bringing us to a shortage where we are going -- and Lorna 19 will talk about it a little bit later -- we are 20 going to need a drawdown because it is leaving us 21 22 with a shortage of negative 22 million dollars 23 166,000.

If we can go to the next page. The next

24

page is our cash flow for December. I know we had anticipated -- we had about 7 million left to be received in tax receipts. I know currently from the last four meetings to the current meeting we received approximately 100,000. Leaving us where I think we had estimated a 19 million dollar draw. Where now we're going to need a 22.4 million dollar draw.

This is pretty common because normally we have a reconciling item that we get from the City to reconcile their account to see what is owed to each fund. We usually receive that additional money to make us whole usually about by the end of January or February at some point in time.

One thing that helped us a little bit is we did receive the retro amount. It was a little over 8 million dollars from the City. I believe it was in the beginning of December, which kind of helped a little bit to offset the cash receipts that we did not get from the employer contributions.

I think if Lorna wants to speak about where she's going to withdraw the money.

MEMBER MCPHILLIPS: Did you say there was

```
1
     a retro amount or is that the intercept?
 2
               MS. VLAHOS: The salaries for the
 3
     contract.
               MEMBER MCPHILLIPS: Okay.
 4
                                           I'm sorry.
 5
     Thank you.
               MS. SCOTT: Looking at the rebalancing
 6
     template, Marc. So this first column shows our
 7
8
     allocation as of December 11th. At the bottom of
 9
     the first column, you can see that there is cash of
     1.5 million.
10
11
               Jackie needs 22.4 million to replenish
12
     the Chase account. Looking at the second column in
13
     yellow, the very top, it shows you where we are
14
     proposing taking cash.
15
               At the top of the screen, you will see we
16
     are proposing taking cash from the Fund's growth
17
     managers. Basically, trimming our winners since
18
     growth has done so well this year.
               The idea is to take 12 million from U.S.
19
     equities and 58 million from international
20
     equities.
21
22
               Skip the private equity section.
23
     are lows that are coming up, upcoming capital calls
24
     and distribution, which I have included here mainly
```

1 for cash management purposes.

So we are raising cash from equities. Wе are also proposing closing the Credit Suisse account. It is a very, very small allocation. 5 million dollars. Actually, at this point it is unlikely to grow. Last year we spent a lot of time filling out this real asset bucket. We added TIPPS. We aided core real estate. We added REITS. We still have our commodities investment in PIMCO.

Eliminating Credit Suisse is really a consolidating move at this point. We do need the cash.

The last item in this column is the reinvestment of the BlackRock funds into the William Blair macro fund. I have a little bit of rounding going there. I don't know how much money I am going to get from the sale of BlackRock.

There is a little bit of cash so I will probably trim off of that as well.

Looking at that last column, the variance. This shows the difference between the actual fund allocation versus the policy after the cash withdrawal.

Looking at our asset allocation, we're

```
1
     going to remain very close to target so that should
2
     minimize any performance differences versus the
 3
     target. You will see that we're still slightly
     over allocated in U.S. equity, that is primarily in
 4
 5
     small cap under allocation in private equity.
 6
     Generally on target everywhere else.
 7
               I am looking for a motion to raise up to
     22 million as indicated on the rebalancing
8
 9
     template.
10
               I won't really raise that much, the
11
     number comes up to 23 million, but some of that is
12
     just the reinvestment between BlackRock and William
13
     Blair. I will tweak that but I won't go higher
14
     than 23 million.
15
               MS. BURNS: I think you would be looking
16
     for a motion, based on the recommendation of the
17
     Fund's CIO and the Fund investment consultant, to
18
     liquidate up to $23 million at such time and in
     such manner as the CIO determines is prudent.
19
               MEMBER MURPHY: Based on that
20
21
     recommendation, I would like to make that motion,
     Mr. President.
22
23
               MEMBER NANCE-HOLT: Second.
```

CHAIRMAN FORTUNA: There is a motion by

24

1	Trustee Murphy seconded by Trustee Holt.						
2	Trustee Annette Holt.						
3	MEMBER NANCE-HOLT: Yes.						
4	CHAIRMAN FORTUNA: Trustee						
5	Conyears-Ervin.						
6	MEMBER CONYEARS-ERVIN: Yes.						
7	CHAIRMAN FORTUNA: Trustee Soni.						
8	MEMBER SONI: Yes.						
9	CHAIRMAN FORTUNA: Trustee McPhillips.						
10	MEMBER MCPHILLIPS: Yes.						
11	CHAIRMAN FORTUNA: Trustee Murphy.						
12	MEMBER MURPHY: Yes.						
13	CHAIRMAN FORTUNA: Trustee Tebbens.						
14	MEMBER TEBBENS: Yes.						
15	CHAIRMAN FORTUNA: And I am a yes.						
16	Motion carries.						
17	MS. SCOTT: That concludes the Investment						
18	Report.						
19	MEMBER MURPHY: Moving on, Mr. President,						
20	I'd like to move to A, Distribution of Preliminary						
21	2021 Budget.						
22	MS. BURNS: I think that was already done						
23	by Steve.						
24	MEMBER MURPHY: Okay.						

```
1
               MS. BURNS: He will be reaching out to
     all trustees on an individual basis to discuss that
2
 3
     proposed budget.
               MEMBER MCPHILLIPS: I'm sorry, can you
 4
 5
     repeat that, Mary Pat?
               MS. BURNS: I think Steve indicated that
 6
 7
     he had already distributed to all of you a
8
     preliminary Budget and he will be reaching out to
 9
     each of you on an individual basis to answer any
10
     questions you might have. Is that correct, Steve?
11
               MR. SWANSON: Yes, that's correct, Mary
12
     Pat.
13
               MEMBER MCPHILLIPS: Dan, do you have a
14
     Budget Committee scheduled for this?
15
               CHAIRMAN FORTUNA:
                                  I do not.
               MEMBER MCPHILLIPS: Are we going to?
16
17
               CHAIRMAN FORTUNA: Who is the Budget
18
     Chair?
19
               MEMBER MCPHILLIPS: I don't know.
20
               CHAIRMAN FORTUNA: I will put one on the
21
     calendar.
22
               MS. BURNS: What we will do, Trustee
23
     McPhillips, we will circulate to the group who is
24
     on the current Budget Committee. I think in
```

```
1
     January the President will likely set the new
2
     committee structure as he always does, but you can
 3
     schedule a meeting in December, if you would like,
     or January before the next meeting.
 4
 5
               MEMBER MCPHILLIPS: I don't know if you
     want to use the old Budget assignments from 2020
 6
 7
     and then have a meeting or setup new assignments
     for 2021.
8
9
               MS. BURNS: That is what I was asking,
10
     yes.
11
               CHAIRMAN FORTUNA: I will get back to you
12
     on that.
13
               MS. BURNS: Okay.
14
               MEMBER MURPHY: Moving on to legal. Mary
15
     Pat, do we have an update on legal?
16
               MS. BURNS: Yes, thank you. I only have
17
     one issue for the trustees to consider. We
18
     mentioned it last month. We have a young member, a
     child annuitant, who was living with his mother,
19
     but the mother suffered a debilitating stroke. It
20
     is a relatively young woman. Now her adult son is
21
22
     taking care of the siblings, including our child
23
     annuitant. The family's name is Rogers.
```

Lori Lund and I have worked with the

24

family and Matthew, who is 25 years old, he is

employed, he lives in the Chicago area, he's taking

care of his younger brother James who is our

annuitant. The child is 17. He will turn 18 in

February. He is enrolled in high school, doing

well and living with his brother.

At the last meeting I asked you and you allowed us to keep the monthly amount of \$851 approximately, which is his monthly child's annuity, to separate that out and no longer send it to his mother who is incapable of taking care of the son and instead directing it to the son Matthew.

You asked me in the ensuing month to reach out to Matthew for the details. Lori and I have done that. We're waiting for receipt of the paperwork, but we're very comfortable under the law and under the Pension Code asking you if you would approve a motion to approve the payment of the child's annuity benefit for Member 714544 to Matthew Rogers serving as the guardian of minor Member 714544, subject to counsel receiving executed paperwork, that would be my proposed legal motion. I ask you to consider that motion.

1	MEMBER MURPHY: I'd like to make that					
2	motion on advice of counsel.					
3	MEMBER CONYEARS-ERVIN: Second.					
4	CHAIRMAN FORTUNA: Motion by Trustee					
5	Murphy seconded by Conyears-Ervin.					
6	Trustee Annette Holt.					
7	MEMBER NANCE-HOLT: Yes.					
8	CHAIRMAN FORTUNA: Trustee					
9	Conyears-Ervin.					
10	MEMBER CONYEARS-ERVIN: Yes.					
11	CHAIRMAN FORTUNA: Trustee Soni.					
12	MEMBER SONI: Yes.					
13	CHAIRMAN FORTUNA: Trustee McPhillips.					
14	MEMBER MCPHILLIPS: Yes.					
15	CHAIRMAN FORTUNA: Trustee Murphy.					
16	MEMBER MURPHY: Yes.					
17	CHAIRMAN FORTUNA: Trustee Tebbens.					
18	MEMBER TEBBENS: Yes.					
19	CHAIRMAN FORTUNA: And I am a yes.					
20	Motion carries.					
21	MS. BURNS: That is it, sir.					
22	MEMBER MURPHY: I believe that covers our					
23	agenda for today.					
24	CHAIRMAN FORTUNA: Is there is a motion					

1	to adjourn?						
2	MEMBER MURPHY: Motion to adjourn.						
3	MEMBER SONI: Second.						
4	CHAIRMAN FORTUNA: Motion to adjourn by						
5	Trustee Murphy seconded by Trustee Soni.						
6	Trustee Annette Holt.						
7	MEMBER NANCE-HOLT: Yes.						
8	CHAIRMAN FORTUNA: Trustee						
9	Conyears-Ervin.						
10	MEMBER CONYEARS-ERVIN: Yes.						
11	CHAIRMAN FORTUNA: Trustee Soni.						
12	MEMBER SONI: Yes.						
13	CHAIRMAN FORTUNA: Trustee McPhillips.						
14	MEMBER MCPHILLIPS: Yes.						
15	CHAIRMAN FORTUNA: Trustee Murphy.						
16	MEMBER MURPHY: Yes.						
17	CHAIRMAN FORTUNA: Trustee Tebbens.						
18	MEMBER TEBBENS: Yes.						
19	CHAIRMAN FORTUNA: And I am a yes.						
20	Motion carries.						
21							
22	(WHICH WERE ALL THE PROCEEDINGS						
23	IN THE ABOVE-ENTITLED MEETING						
24	AT THIS DATE AND TIME.)						

1	STATE OF ILLINOIS)
2) SS. COUNTY OF DU PAGE)
3	
4	
5	
6	DEBORAH TYRRELL, being a Certified Shorthand
7	Reporter, on oath says that she is a court reporter
8	doing business in the County of DuPage and State of
9	Illinois, that she reported in shorthand the
10	proceedings given at the taking of said cause and
11	that the foregoing is a true and correct transcript
12	of her shorthand notes so taken as aforesaid; and
13	contains all the proceedings given at said cause.
14	
15	
16	
17	
18	License No. 084-001078
19	
20	
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22	
23	
24	

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