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BEFORE  
THE RETIREMENT BOARD  
FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO

IN THE MATTER OF )  
MEETING NO. 1095 )

STENOGRAPHIC REPORT OF PROCEEDINGS had at  
the videoconference meeting of the above-entitled  
matter, held at 20 South Clark Street, Suite 300,  
in the City of Chicago, County of Cook, State of  
Illinois, on February 16, 2022, commencing at the  
hour of 8:30 a.m.

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APPEARANCES

BOARD MEMBERS:

DANIEL FORTUNA, President and  
Annuitant Trustee

ROBERT TEBBENS, Active Trustee

WILLIAM MURPHY, Secretary and Active Trustee

ANTHONY MARTIN, Active Trustee

MELISSA CONYEARS-ERVIN, City Treasurer

ANNA VALENCIA, City Clerk

RESHMA SONI, City Comptroller

MARY SHERIDAN, Active Trustee

ATTORNEYS FOR THE BOARD:

BURKE, BURNS AND PINELLI, LTD.

BY: MS. MARY PATRICIA BURNS

MR. VINCENT PINELLI

ALSO PRESENT:

KELLY WELLER, Executive Director

LORI LUND, Deputy Executive Director

LORNA SCOTT, Chief Investment Officer

JACLYN VLAHOS, Comptroller

JOHN CONNESS, Fund Accountant

MICHAEL I. PETERS, M.D., Board Physician

1 CHAIRMAN FORTUNA: I hereby convene this  
2 board meeting of the Trustees.

3 Secretary Murphy, please call the roll.

4 MEMBER MURPHY: Trustee Sheridan.

5 MEMBER SHERIDAN: Here.

6 MEMBER MURPHY: Trustee Tebbens.

7 MEMBER TEBBENS: Here.

8 MEMBER MURPHY: Trustee Martin

9 MEMBER MARTIN: Yes.

10 MEMBER MURPHY: Trustee Conyears-Ervin.

11 MEMBER CONYEARS-ERVIN: Here.

12 MEMBER MURPHY: President Fortuna.

13 CHAIRMAN FORTUNA: Here.

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

18 Further consistent with Public Act  
19 101-0640, for the record, I am physically present  
20 at the Fund's office as is Secretary Murphy,  
21 several Trustees and the Executive Director.

22 We have posted a notice of this meeting  
23 in accordance with the Open Meetings Act and the  
24 meeting is being recorded. A transcript of these

1 proceedings will be prepared and ultimately, after  
2 approval, will be made available on the Fund's  
3 website.

4 Public Comments. Consistent with Public  
5 Act 91-0715 and reasonable constraints determined  
6 by the Board of Trustees, at each regular meeting  
7 of the Board or its committees that is open to the  
8 public, members of the public may request a brief  
9 time to address the Board.

10 At this time are there any requests for  
11 public comment?

12 MR. WELLER: Mr. President, if I may add,  
13 if you would like to make public comment, please  
14 press star nine and you will be recognized in the  
15 order you wish to make comment. Again, press star  
16 nine.

17 Mr. President, I do not see any.

18 CHAIRMAN FORTUNA: Hearing none, we are  
19 going to move on. Mr. Secretary, please.

20 MEMBER TEBBENS: I'd like to make a  
21 motion to go into Executive Session under the Open  
22 Meetings Act Section 2(c)4 and 11 to discuss a  
23 procedural issue.

24 MS. BURNS: There is no valid legal basis

1 to go into closed session under 2(c)4 or 11 for  
2 procedural issues.

3 MEMBER TEBBENS: I would like to go into  
4 Executive Session to talk about a procedural issue  
5 and potential legal issue.

6 MS. BURNS: If I may, sir, that would be  
7 against legal advice. There is no basis to go into  
8 closed session at this time.

9 If you are talking about the Hesslau  
10 matter, which is something that we discussed, when  
11 that comes up on the agenda, then at that point  
12 would be the appropriate time to go into closed  
13 session. You can't just go into closed session for  
14 procedural matters under the Open Meetings Act.

15 MEMBER TEBBENS: However that would need  
16 to be done, I need to do that. I don't want to  
17 compromise the case by accepting the minutes of the  
18 the previous meeting.

19 MEMBER MURPHY: Okay, thank you.

20 Mr. President, I'd like to turn to the  
21 Approval of Administrative Items on the agenda  
22 Number A. Approval of regular audio meeting,  
23 January 26, 2022, Board open and closed minutes,  
24 Regular Audio Meeting transcript January 26, 2022

1 and the January 19, 2022 Budget hearing transcript.

2 I would like to make a motion to approve  
3 the open and closed minutes for the January 26,  
4 2022 board meeting and the audio transcript of that  
5 meeting and the January 19, 2022 Budget Committee  
6 meeting and keep those closed session minutes  
7 closed.

8 MEMBER SHERIDAN: Second.

9 CHAIRMAN FORTUNA: There's a motion to  
10 approve by Trustee Murphy. Seconded by Trustee  
11 Sheridan.

12 Trustee Murphy.

13 MEMBER MURPHY: Yes.

14 CHAIRMAN FORTUNA: Trustee Sheridan.

15 MEMBER SHERIDAN: Yes.

16 CHAIRMAN FORTUNA: Trustee  
17 Conyears-Ervin.

18 MEMBER CONYEARS-ERVIN: Yes.

19 CHAIRMAN FORTUNA: Trustee Soni.

20 MEMBER SONI: Yes.

21 CHAIRMAN FORTUNA: Trustee Martin

22 MEMBER MARTIN: Yes.

23 CHAIRMAN FORTUNA: Trustee Tebbens.

24 MEMBER TEBBENS: Yes.

1 CHAIRMAN FORTUNA: And I am a yes.

2 Motion carries.

3 MEMBER MURPHY: Mr. President, I'd like  
4 to acknowledge Trustees Soni is present for the  
5 roll.

6 CHAIRMAN FORTUNA: Thank you.

7 MEMBER MURPHY: Moving on to Item B,  
8 Minimum Formula Annuities and Earned Annuities. I  
9 would like to make a motion to approve the Minimum  
10 Formula Annuities starting with Member 13840 and  
11 ending with Member 14515.

12 MEMBER MARTIN: Second.

13 CHAIRMAN FORTUNA: There is a motion by  
14 Trustee Murphy. Seconded by Trustee Martin.  
15 Trustee Murphy.

16 MEMBER MURPHY: Yes.

17 CHAIRMAN FORTUNA: Trustee Sheridan.

18 MEMBER SHERIDAN: Yes.

19 CHAIRMAN FORTUNA: Trustee  
20 Conyears-Ervin.

21 MEMBER CONYEARS-ERVIN: Yes.

22 CHAIRMAN FORTUNA: Trustee Soni.

23 MEMBER SONI: Yes.

24 CHAIRMAN FORTUNA: Trustee Martin

1 MEMBER MARTIN: Yes.

2 CHAIRMAN FORTUNA: Trustee Tebbens.

3 MEMBER TEBBENS: Yes.

4 CHAIRMAN FORTUNA: And I am a yes.

5 Motion carries.

6 MEMBER MURPHY: Mr. President, there is  
7 also one Earned Annuity this month. I would like  
8 to make a motion to approve the Earned Annuity for  
9 Member 16546.

10 MEMBER SONI: Second.

11 CHAIRMAN FORTUNA: There is a motion by  
12 Trustee Murphy. Seconded by Trustee Soni.

13 Trustee Murphy.

14 MEMBER MURPHY: Yes.

15 CHAIRMAN FORTUNA: Trustee Sheridan.

16 MEMBER SHERIDAN: 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 Martin

23 MEMBER MARTIN: Yes.

24 CHAIRMAN FORTUNA: Trustee Tebbens.



1 MEMBER TEBBENS: Yes.

2 CHAIRMAN FORTUNA: And I am a yes.

3 Motion carries.

4 MEMBER MURPHY: Moving on to Item C,  
5 Survivor's Annuities and Widow's Annuities. I  
6 would like to make a motion to approve the Widow's  
7 Annuities starting with Member 10215 through Member  
8 10063.

9 MEMBER TEBBENS: Second.

10 CHAIRMAN FORTUNA: There is a motion by  
11 Trustee Murphy. Seconded by Trustee Tebbens.

12 Trustee Murphy.

13 MEMBER MURPHY: Yes.

14 CHAIRMAN FORTUNA: Trustee Sheridan.

15 MEMBER SHERIDAN: Yes.

16 CHAIRMAN FORTUNA: Trustee

17 Conyears-Ervin.

18 MEMBER CONYEARS-ERVIN: Yes.

19 CHAIRMAN FORTUNA: Trustee Soni.

20 MEMBER SONI: Yes.

21 CHAIRMAN FORTUNA: Trustee Martin

22 MEMBER MARTIN: Yes.

23 CHAIRMAN FORTUNA: Trustee Tebbens.

24 MEMBER TEBBENS: Yes.

1 CHAIRMAN FORTUNA: And I am a yes.  
2 Motion carries.  
3 MEMBER MURPHY: Moving on to D, I'd like  
4 to make a motion to approve the Refunds for Member  
5 15014 and Member 19902.  
6 MEMBER SHERIDAN: Second.  
7 CHAIRMAN FORTUNA: This is a motion by  
8 Trustee Murphy. Seconded by Trustee Sheridan.  
9 Trustee Murphy.  
10 MEMBER MURPHY: Yes.  
11 CHAIRMAN FORTUNA: Trustee Sheridan.  
12 MEMBER SHERIDAN: 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 Martin  
19 MEMBER MARTIN: Yes.  
20 CHAIRMAN FORTUNA: Trustee Tebbens.  
21 MEMBER TEBBENS: Yes.  
22 CHAIRMAN FORTUNA: And I am a yes.  
23 Motion carries.  
24 MEMBER MURPHY: Moving on to Item E,

1 Death Benefits. I would like to make a motion to  
2 approve the Death Benefits for Member 12362 through  
3 Member 10063.

4 MEMBER CONYEARS-ERVIN: Second.

5 CHAIRMAN FORTUNA: There is a motion by  
6 Trustee Murphy. Seconded by Trustee  
7 Conyears-Ervin.

8 Trustee Murphy.

9 MEMBER MURPHY: Yes.

10 CHAIRMAN FORTUNA: Trustee Sheridan.

11 MEMBER SHERIDAN: 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 Martin

18 MEMBER MARTIN: Yes.

19 CHAIRMAN FORTUNA: Trustee Tebbens.

20 MEMBER TEBBENS: Yes.

21 CHAIRMAN FORTUNA: And I am a yes.

22 Motion carries.

23 MEMBER MURPHY: Under F, Partial

24 Payments. I would like to make a motion to approve

1 the Partial Payments beginning with Member 14166  
2 continuing through Member 07854.

3 MEMBER CONYEARS-ERVIN: Second.

4 CHAIRMAN FORTUNA: There is a motion by  
5 Trustee Murphy. Seconded by Trustee  
6 Conyears-Ervin.

7 Trustee Murphy.

8 MEMBER MURPHY: Yes.

9 CHAIRMAN FORTUNA: Trustee Sheridan.

10 MEMBER SHERIDAN: 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 Martin

17 MEMBER MARTIN: Yes.

18 CHAIRMAN FORTUNA: Trustee Tebbens.

19 MEMBER TEBBENS: Yes.

20 CHAIRMAN FORTUNA: And I am a yes.

21 Motion carries.

22 MEMBER MURPHY: Under G, Benefit  
23 Recalculations. There are several addendums to the  
24 Board material for this month for recalculations

1 for the minimum widows and for the minimum retirees  
2 due to an update in the Federal Register.

3 Having had an opportunity to review the  
4 addendums, and based on staff's statement that all  
5 the calculations are in accordance with the  
6 provisions of Public Act 99-0506, I'd like to make  
7 a motion to approve those calculations.

8 MEMBER MARTIN: Second.

9 CHAIRMAN FORTUNA: There is a motion by  
10 Trustee Murphy. Seconded by Trustee Martin.

11 Trustee Murphy.

12 MEMBER MURPHY: Yes.

13 CHAIRMAN FORTUNA: Trustee Sheridan.

14 MEMBER SHERIDAN: 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 Martin

21 MEMBER MARTIN: Yes.

22 CHAIRMAN FORTUNA: Trustee Tebbens.

23 MEMBER TEBBENS: Yes.

24 CHAIRMAN FORTUNA: And I am a yes.

1 Motion carries.

2 MEMBER MURPHY: Moving on to, sir, under  
3 Requests For Permission, there is one this month  
4 for guardianship for Member 07567. I'd like to  
5 make a motion to grant the guardianship to the  
6 daughter of this Member, based on staff's  
7 confirmation that all paperwork required by the  
8 Fund has been received.

9 MEMBER SONI: Second.

10 CHAIRMAN FORTUNA: There is a motion by  
11 Trustee Murphy. Seconded by Trustee Soni.

12 Trustee Murphy.

13 MEMBER MURPHY: Yes.

14 CHAIRMAN FORTUNA: Trustee Sheridan.

15 MEMBER SHERIDAN: Yes.

16 CHAIRMAN FORTUNA: Trustee

17 Conyears-Ervin.

18 MEMBER CONYEARS-ERVIN: Yes.

19 CHAIRMAN FORTUNA: Trustee Soni.

20 MEMBER SONI: Yes.

21 CHAIRMAN FORTUNA: Trustee Martin

22 MEMBER MARTIN: Yes.

23 CHAIRMAN FORTUNA: Trustee Tebbens.

24 MEMBER TEBBENS: Yes.

1 CHAIRMAN FORTUNA: And I am a yes.

2 Motion carries.

3 MEMBER MURPHY: Mr. President, moving on  
4 to Item I, Removals. I would like to make a  
5 motion to approve the Removals starting with  
6 Darlene Biniak and ending with Jaylen Edwards.

7 MEMBER TEBBENS: Second.

8 CHAIRMAN FORTUNA: There is a motion by  
9 Trustee Murphy. Seconded by Trustee Tebbens.

10 Trustee Murphy.

11 MEMBER MURPHY: Yes.

12 CHAIRMAN FORTUNA: Trustee Sheridan.

13 MEMBER SHERIDAN: 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 Martin

20 MEMBER MARTIN: Yes.

21 CHAIRMAN FORTUNA: Trustee Tebbens.

22 MEMBER TEBBENS: Yes.

23 CHAIRMAN FORTUNA: And I am a yes.

24 Motion carries.

1                   MEMBER MURPHY: Under Item 3, Request for  
2 Approval of Payments Pursuant to Administrative and  
3 Court Orders. I would like to make a motion to  
4 approve the QILDRO order listed in the docket for  
5 Member 012956, based on staff's confirmation that  
6 all the paperwork required by the Fund to process  
7 said order has been received.

8                   MEMBER SHERIDAN: Second.

9                   CHAIRMAN FORTUNA: There is a motion by  
10 Trustee Murphy. Seconded by Trustee Sheridan.  
11 Trustee Murphy.

12                   MEMBER MURPHY: Yes.

13                   CHAIRMAN FORTUNA: Trustee Sheridan.

14                   MEMBER SHERIDAN: 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 Martin

21                   MEMBER MARTIN: Yes.

22                   CHAIRMAN FORTUNA: Trustee Tebbens.

23                   MEMBER TEBBENS: Yes.

24                   CHAIRMAN FORTUNA: And I am a yes.



1 Motion carries.

2 MEMBER MURPHY: Mr. President, moving on  
3 to 4, under Hearings. I believe we have one Duty  
4 Disability application. Is Vince available?

5 MS. BURNS: Yes.

6 MEMBER MURPHY: Vince, please take it  
7 away.

8 MR. PINELLI: Is Lieutenant Marlon  
9 Brandon on the line?

10 MR. WELLER: Mr. Brandon, if you are on  
11 the line, you need to press star six to talk.

12 CHAIRMAN FORTUNA: Do we have a phone  
13 number?

14 While they are reaching out, do we want  
15 to go to the second hearing?

16 MEMBER MURPHY: Moving on to Number 2,  
17 adoption of the Findings of Fact and Conclusions of  
18 Law in the matter of PIC Daniel Hesslau.

19 Last month after hearing the testimony  
20 and considering the evidence in this matter, the  
21 Board voted to deny Paramedic Hesslau's application  
22 for Duty Disability Benefits.

23 Counsel has now had an opportunity to  
24 prepare Findings of Fact and Conclusions of Law in

1 this matter to support the Board's decision and to  
2 share those Findings of Fact and Conclusions of Law  
3 with the Board.

4 Having had a chance to review those  
5 Findings of Fact and Conclusions of law, I make a  
6 motion to approve those Findings of Fact and  
7 Conclusions of Law in this matter.

8 MEMBER MARTIN: Second.

9 MEMBER TEBBENS: Mr. Chairman, I'd like  
10 to make a motion to go into executive session.

11 MS. BURNS: That motion is on the floor.  
12 You are making a request to go into closed session  
13 and I assume that the basis for that is 2(c)11  
14 because of possible litigation?

15 MEMBER TEBBENS: Yes. I am concerned  
16 about a number of things and we can talk about  
17 those. They are legal issues.

18 MS. BURNS: There is a motion to go into  
19 executive session. There needs to be a second to  
20 that motion.

21 CHAIRMAN FORTUNA: There is a motion by  
22 Trustee Tebbens to go into executive session. Is  
23 there a second?

24 MEMBER SONI: Second.

1 CHAIRMAN FORTUNA: There is a second by  
2 Trustee Soni.

3 Trustee Murphy.

4 MEMBER MURPHY: No.

5 CHAIRMAN FORTUNA: Trustee Sheridan.

6 MEMBER SHERIDAN: No.

7 CHAIRMAN FORTUNA: Trustee  
8 Conyears-Ervin.

9 MEMBER CONYEARS-ERVIN: Yes.

10 CHAIRMAN FORTUNA: Trustee Soni.

11 MEMBER SONI: No.

12 CHAIRMAN FORTUNA: Trustee Martin

13 MEMBER MARTIN: No.

14 CHAIRMAN FORTUNA: Trustee Tebbens.

15 MEMBER TEBBENS: Yes.

16 CHAIRMAN FORTUNA: I am a no.

17 MS. BURNS: That motion to go into closed  
18 session fails. So now the motion back on the table  
19 is a motion to adopt the Findings of Fact in the  
20 Hesslau matter consistent with the Board's  
21 direction at the last meeting.

22 CHAIRMAN FORTUNA: I do have a motion and  
23 I don't have a second.

24 MEMBER MARTIN: I seconded the motion.

1                   MEMBER TEBBENS: On the question. I had  
2 a question to the doctor that I needed a response  
3 to that we addressed and I am still not satisfied.  
4 I did not get the answer to that. I was under the  
5 impression that procedurally this motion would be  
6 the Findings of Fact.

7                   Without disclosing what was in the  
8 Executive Session, which is putting me in a very  
9 awkward position right now, but I will take the  
10 entire blame having said that, that I was under the  
11 impression that this question would have been  
12 resolved within the period of 30 days between --  
13 again, I will restate. It was my impression based  
14 on discussions that it didn't matter whether we  
15 deferred or voted it down because the Findings of  
16 Fact were still out there.

17                   I believe that I have an outlying  
18 question to the doctor, a concern that was not to  
19 my satisfaction, and that was not addressed.

20                   MEMBER CONYEARS-ERVIN: Trustee Tebbens,  
21 I think that because of where the Board wants to go  
22 right now with a vote to accept the Finding of  
23 Facts, if you feel that your question has not been  
24 answered to your satisfaction, you have the right

1 to vote in the way that you want to vote but I  
2 think that the Board is ready to proceed.

3 Sometimes in situations, we don't always  
4 agree with each other. Sometimes in situations,  
5 we're not ready to vote on something because we  
6 feel that we may not have enough. But the case was  
7 heard last month and any questions that we had on  
8 the record last month we asked.

9 If there is anything further, obviously,  
10 as a trustee, you are more than welcome to ask  
11 those questions, but I think the rest of the  
12 trustees are ready to move on with the vote.

13 MEMBER TEBBENS: I have the greatest  
14 respect for you, Madam Treasurer, you know that and  
15 I have an appreciation for your integrity.

16 My concern is I am a Firefighter. I  
17 don't know that any other Trustee, outside of the  
18 Chief on the Board, knew what dysautonomia was and  
19 the symptoms associated with that, with the  
20 syncopal episodes.

21 Again, this issues is so complex and it  
22 is new and there is not a lot of history in the  
23 diagnosis and treatment. I think there was some  
24 clarity that needed to be addressed related to the

1       syncope, related to the behavioral, and the  
2       functional aspects of the doctor's recommendation,  
3       that I wanted to clear up through additional  
4       questions. Because I didn't know what dysautonomia  
5       was and I had a question about the drug, how he was  
6       being treated, whether he was being treated for  
7       behavioral issues, and I thought that I didn't have  
8       that opportunity and I wish that I had.

9                   MEMBER CONYEARS-ERVIN: Trustee Tebbens,  
10       that is the right thing to do, right. We are all  
11       learning as we go. We are not medical doctors.  
12       There are certain conditions we are still learning  
13       as we go. I mean, you want to make sure that you  
14       are doing the right thing by your fellow firemen  
15       and fire women, that is totally fine.

16                   But we have experts that testified in the  
17       situation and the Board is ready to proceed. So it  
18       is something that we are going to need to do  
19       because the rest of the Board is ready to proceed.

20                   Anyone that is listening will know that  
21       you have done everything that you could just to  
22       make certain that we are doing the right thing.  
23       You are learning terminology that you may not have  
24       known before but you don't have to be a medical

1 doctor to be a trustee on this Board. We have  
2 experts that we listen to as well and take advice  
3 from after listening to all the facts.

4 So, again, I think it is more than fair,  
5 if you have a follow up question, if the doctor can  
6 provide it, but the Board is ready to proceed with  
7 the vote.

8 MEMBER TEBBENS: Understood.

9 MEMBER MARTIN: Can I make one comment?  
10 Mr. President, just one comment.

11 Just with respect, we had the hearing  
12 last month. It was a pretty extensive hearing.  
13 There was a lot of medical testimony.

14 And over 18 years on this Board that I  
15 have served, these are the most difficult decisions  
16 that a Trustee will ever have to make, especially  
17 being a fireman voting against a fireman.

18 We are only here today to vote on the  
19 Findings of Fact. I just want to commend everybody  
20 for making a very difficult decision and everybody  
21 on staff, our doctors and our attorneys, for doing  
22 the best they could to make sure that the process  
23 is as good and as thorough as it was. Thank you.

24 CHAIRMAN FORTUNA: Thank you, Trustee

1 Martin.

2 There is a motion and there is a second  
3 by Trustee Martin.

4 Trustee Murphy.

5 MEMBER MURPHY: Yes.

6 CHAIRMAN FORTUNA: Trustee Sheridan.

7 MEMBER SHERIDAN: 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 Martin

14 MEMBER MARTIN: Yes.

15 CHAIRMAN FORTUNA: Trustee Tebbens.

16 MEMBER TEBBENS: Abstain.

17 CHAIRMAN FORTUNA: I am a yes.

18 Motion carries.

19 MR. WELLER: Mr. Brandon, if you are on  
20 the line, please press star six to proceed with the  
21 hearing.

22 MR. BRANDON: Yes.

23 MR. WELLER: Is this Member Brandon?

24 MR. BRANDON: Yes, it is.



1                   MR. WELLER:  Vince, we have him on the  
2 line.

3                   MR. PINELLI:  Thank you, very much.  We  
4 are ready to proceed on this matter.

5                   Let the record reflect this is a hearing  
6 on the application for a Duty Disability benefit  
7 being made by Lieutenant Marlon Brandon.

8                   Good morning, Mr. Brandon.  Can you hear  
9 me, sir?

10                  MR. BRANDON:  Good morning.  Yes, I can.  
11 Good morning, everyone.

12                  MR. PINELLI:  Let me begin by advising  
13 you of some preliminary matters before we start  
14 evidence on your application.

15                  First of all, there are currently seven  
16 trustees present to hear the evidence on your  
17 application.  If you don't know you should know the  
18 Pension Code requires that you get the yes vote of  
19 at least five of those seven trustees in order to  
20 receive this benefit.  Do you understand that?

21                  MR. BRANDON:  Yes, sir.

22                  MR. PINELLI:  In addition, I see from the  
23 record you do not have an attorney representing you  
24 in this matter.  Is it your desire to proceed to

1 this hearing without an attorney?

2 MR. BRANDON: I didn't know if I needed  
3 one, but, yes, it is fine, I can proceed without  
4 one.

5 MR. PINELLI: And then, lastly, it is  
6 always the applicant's burden of proof to present  
7 sufficient evidence to the Board in order for the  
8 Board to grant the benefit that the applicant is  
9 seeking. Do you understand that it is your burden  
10 of proof in this proceedings?

11 MR. BRANDON: Yes, it is.

12 MR. PINELLI: By way of procedures, I am  
13 going to start by asking you some questions under  
14 oath. The Board members may or may not have  
15 questions of you. Then I will call the Fund's  
16 physician consultant Dr. Peters, who interviewed  
17 you, to testify. If there is anything that I fail  
18 or I don't ask him that you think is important for  
19 the Board to know, please let me know and you will  
20 be given that opportunity. Do you understand the  
21 procedures?

22 MR. BRANDON: Yes, sir.

23 MR. PINELLI: Then we are ready to  
24 proceed. Is Dr. Peters on the line?

1 DOCTOR PETERS: Yes, I am.

2 MR. PINELLI: Thank you. Good morning,  
3 doctor.

4 DOCTOR PETERS: Good morning.

5 MR. PINELLI: Dr. Peters and Lieutenant  
6 Brandon, please both raise your right hands.

7 (Witnesses sworn.)

8 MARLON BRANDON

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

11 EXAMINATION

12 BY MR. PINELLI:

13 Q Now starting with you, Lieutenant  
14 Brandon, for the record, because this hearing is  
15 being recorded, could you please state your name?

16 A Lieutenant Marlon Brandon.

17 Q You said Lieutenant so that is your  
18 current rank with the Fire Department?

19 A Yes, sir.

20 Q What was the last assignment before you  
21 went on layup?

22 A Engine 60.

23 Q Sir, directing your attention to the  
24 Board exhibits, you should have received a copy of

1       those exhibits in advance of today's hearing. Did  
2       you get a copy of them?

3             A       Yes. Yes, I did.

4             Q       Did you have a chance to review them?

5             A       Yes, I did.

6             Q       Do you have any objection to their  
7       admission into the record in this hearing?

8             A       Yes, I do. The fact that I think Dr. Lim  
9       stated that it wasn't job related and I just want  
10       to say how she could have called that when the  
11       incident occurred when something hit me with my  
12       eye. My sight was fine before I went to work.  
13       After the incident happened, then my sight went  
14       away. She has never asked me what happened when I  
15       went to the doctor. She's the one that did the  
16       surgery but I know she has never asked. No one --  
17       people might have asked when I first went to the  
18       emergency room, they asked, different things like  
19       that, but Lim never asked.

20            Q       Okay. That is a point you can make  
21       during your testimony when you have that  
22       opportunity. I will certainly give you that  
23       opportunity to address that point with the Board.  
24       But this question is simply that, rather than us

1       having to have all kinds of witnesses come in to  
2       just testify that these are their records, we are  
3       just admitting them for foundation so that the  
4       Board can review them.

5                You can still make your points to the  
6       Board but for that purpose only do you have any  
7       objection to their admission?

8                A     No.

9                MR. PINELLI:  Thank you.  I appreciate  
10       that.

11               Mr. Chairman, based on that comment from  
12       the applicant and that we are just moving these in  
13       for foundation purposes, I would move for admission  
14       of Board Exhibits 1 through 10, without objection  
15       from the applicant.

16               CHAIRMAN FORTUNA:  Exhibits are admitted  
17       without objection.

18               (Board Exhibits 1 through 10 were  
19       admitted into evidence.)

20               MR. PINELLI:  Thank you.

21       BY MR. PINELLI:

22               Q     Now, lieutenant, directing your attention  
23       to the date of January 16th of last year, were you  
24       working that day and did you sustain an injury that

1 is the basis of your application?

2 A Yes, sir.

3 Q Understanding the Board does have your  
4 sworn statement, it is one of the things in the  
5 Board exhibits so they will have a chance to review  
6 that, but could you just briefly describe for us  
7 today where you were and what happened to you?

8 A Okay. I was at Engine 60. Reported for  
9 work that morning. And, I think, roughly we got an  
10 assist a citizen. It was on Harper, 54th and  
11 Harper. Approximately about 1800 hours. We went  
12 in. We pulled up. About to assist. I come out of  
13 the car. When I was walking up to the car,  
14 something flew in my eye. I just assumed it might  
15 have been some salt because of the way it burned.

16 So when it hit me in my eye, it hurt at  
17 the time, burning, burning was -- I mean, it was  
18 burning super, super bad. I told the guys I am  
19 going to back to the rig. Something hit me in the  
20 eye.

21 I went to the rig, got back in the rig,  
22 waited until they finished with the patient.  
23 Returned back to the firehouse. I flushed my eye  
24 out with the paramedic that was working. And then

1 we -- I waited for awhile. It was still burning a  
2 little bit and eventually my sight just started  
3 going away. A curtain like came down over my eye.

4 I notified the Chief. Saw the ambulance.  
5 The paramedics came. Took me to University of  
6 Chicago and that is when they told me that my  
7 retina detached.

8 Q So the record is clear, which eye was it  
9 that this happened to?

10 A My right eye.

11 Q The records seem to indicate that you had  
12 had some issues with your right eye before this  
13 incident. Did you have any medical treatment or  
14 problems with the eye before this incident?

15 A Well, I was informed that I might have  
16 said that I had -- what do they call that -- some  
17 floaters. And I never knew actually what a floater  
18 was until that day. And it just looked like it was  
19 a spot that was in my eye. It might have felt like  
20 a -- how you get a scar -- whatever you call that  
21 on the top of your lid but it felt like something  
22 was in the eye. I had a little spot. It was like  
23 I would see something but it wasn't really there.  
24 I might have mentioned that to the doctor.

1           Q     So I understand that you may have  
2 mentioned it but the question I am asking is simply  
3 did you in fact have that experience with that in  
4 your right eye before the incident?

5           A     Did I have what experience?

6           Q     Experiencing something in your right eye  
7 that was occurring before this incident?

8           A     Oh, that is what I said. Yes, it was  
9 like a few days. I guess, I said that, yes.

10          Q     That is accurate information?

11          A     Right, right.

12          Q     Thank you. You mentioned that you did go  
13 back to quarters and before you were taken to the  
14 emergency room that day about how long was it? Was  
15 it several hours? Was it a hour? Do you recall?

16          A     It might have been, if I could guess,  
17 maybe a hour maybe, if that.

18          Q     Then subsequent to going to the hospital,  
19 the records show that you had several different  
20 surgeries to your right eye, is that correct?

21          A     Before I went to the hospital?

22          Q     No, no. After the hospital and to treat

23          --

24          A     Yes, yes.



1           Q     -- your right eye, you then had a series  
2     --

3           A     Exactly.

4           Q     -- of surgeries on it?

5           A     Yes, sir.  Yes, I did.

6           Q     That was all with respect to your right  
7     eye, correct?

8           A     Yes.

9           Q     There was also some mention in the  
10    records that you have had an issue with your left  
11    eye.  Is that also accurate?

12          A     Yes.  In the process of them treating my  
13    right eye, I guess they decided to look at both  
14    eyes and they said they seen something in my left,  
15    yes.

16          Q     Did you understand that they saw a  
17    retinal tear or a retinal problem in your left eye  
18    as well?

19          A     Yes, that was what I was told, yes.

20          Q     Did you subsequently have treatment for  
21    that left eye, too, some kind of laser surgery?

22          A     Yeah, like a laser.  They told me it was  
23    something minor.  They told me in and out.  I was  
24    actually walking.  I left right out of there and I

1 was still able to see and everything at the time.

2 Q Can you describe for the Board today, as  
3 you are appearing here today, what is the condition  
4 with respect to your right eye as far as your  
5 vision? How it works in your right eye?

6 A As of today, it is super -- still super  
7 blurry. I can see colors. I can see light. I can  
8 see shapes. But if someone was maybe five feet or  
9 more, I couldn't -- I wouldn't be able to identify  
10 them.

11 Q So your vision in your right eye is still  
12 impaired even though you have had these surgeries  
13 to address it? Would that be accurate?

14 A Yes. They told me it can take up to six  
15 months, even a year, to get its best, if it gets  
16 any better, that is what I was told.

17 Q Now let me ask you, since the incident  
18 occurred, are you able to drive a vehicle on your  
19 own? Like your own time, not when you are working,  
20 but just on your own?

21 A Right I am getting more and more trying  
22 it. I would like someone in the car because it is  
23 building up my confidence to see more on the right  
24 side of me. As long as someone is in there, I have

1       tried it. I'm getting more comfortable as the  
2       days, you know, go.

3               Q       And then with respect to your duties with  
4       the fire department, as a lieutenant -- I apologize  
5       I am not as familiar with those. Could you just  
6       tell us as part of your duties as a lieutenant are  
7       you required to be able to drive a vehicle when you  
8       are on duty?

9               A       No, sir. No.

10              Q       Now you entered service with the fire  
11       department, according to the records, in 1986, is  
12       that correct?

13              A       Yes.

14              Q       Since you went on layup, have you engaged  
15       in any activity by which you have earned income or  
16       money?

17              A       No, sir.

18              Q       Have you engaged in any sporting  
19       activities?

20              A       No.

21              Q       Are you taking any medications prescribed  
22       by your doctor for the condition of your right eye?

23              A       Not anymore. I was when it first --  
24       after the surgery, yes, but at the present time no.

1 MR. PINELLI: Thank you, lieutenant.  
2 That is all the questions I have at this time.

3 CHAIRMAN FORTUNA: Trustees, any  
4 questions?

5 Hearing none.

6 MR. PINELLI: Then I would call Dr.  
7 Peters to testify. He has been sworn.

8 (Witness previously sworn.)

9 MICHAEL I. PETERS, M.D.  
10 a witness herein, having been first duly sworn, was  
11 examined and testified as follows:

12 EXAMINATION

13 BY MR. PINELLI:

14 Q Sir, could you please state your name for  
15 the record?

16 A Michael I. Peters.

17 Q You are a physician, is that correct?

18 A Yes, that is correct.

19 Q Is a copy of your qualifications as a  
20 physician attached to the Board exhibits?

21 A Yes.

22 Q Do you perform a function as a consultant  
23 to this fund?

24 A Yes, I do.

1           Q     In that capacity, do you review medical  
2 records, examine or interview applicants, and file  
3 a written record with the Board?

4           A     Yes.

5           Q     Did you file that procedure with respect  
6 to Lieutenant Brandon?

7           A     Yes, I did.

8           Q     Is a copy of your written report marked  
9 as Board Exhibit Number 2?

10          A     Yes.

11          Q     Doctor, due to the current pandemic  
12 conditions, did you have the opportunity to  
13 interview the applicant as opposed to examining  
14 him?

15          A     Yes, I interviewed Lieutenant Brandon by  
16 telephone.

17          Q     During the course of the interview, did  
18 he provide you with information regarding his  
19 medical issue and his current condition?

20          A     Yes, he did.

21          Q     Was the information that he provided to  
22 you consistent or inconsistent with what you had  
23 seen in the medical reports?

24          A     The information he provided was

1 consistent.

2 Q Doctor, could you please just summarize  
3 for the board members with respect to what your  
4 findings were after reviewing the medical records  
5 and interviewing the applicant with respect to his  
6 right eye?

7 A As Lieutenant Brandon described, he was  
8 responding to a motor vehicle incident with a  
9 patient assist. A vehicle drove passed him.  
10 Something splashed into his eye. He thought it  
11 might have been salt because it burned. It was his  
12 right eye. He irrigated it. It didn't get better  
13 from the burning standpoint but very quickly he  
14 described nearly complete vision loss, which was  
15 documented when he went to the ED at the U of C.  
16 They diagnosed him with a right eye retina  
17 detachment.

18 He was seen by a specialist from  
19 ophthalmology there who determined, when they did a  
20 thorough retinal exam, that he had retinal holes  
21 and tears and some blood there within his eye and  
22 then ultimately he also had a large retina  
23 detachment which explained his vision loss.

24 Due to insurance reasons, he didn't have

1 his future care at the U of C. He went to the  
2 U of I of Chicago and saw retinology specialists  
3 there. They examined his left eye as well and saw  
4 that he had an asymptomatic horseshoe tear of his  
5 left retina, which was treated with a laser that  
6 day as an outpatient procedure.

7 He was then scheduled for surgery to  
8 repair the retinal tears in his right eye, which  
9 was performed by Dr. Lim at the UIC. But then he  
10 had a re-tear and had to have a second surgery and a  
11 lens replacement.

12 During his follow up exams, it looks like  
13 the retina has remained healed but because it was  
14 separated from its underlying blood supply for a  
15 period of time he's lost the neurologic function to  
16 perceive light and colors. He has macular  
17 involvement. His visual acuity isn't very good in  
18 that right eye probably permanently. With both  
19 eyes or with his monocular vision using his good  
20 eye, his left eye, he is over 25, that is with  
21 glasses. I think he's scheduled with his  
22 ophthalmologist in April.

23 Q You have reviewed the records of Dr. Lim  
24 and a Dr. Monique Munro, is that correct?

1           A     Yes.

2           Q     Dr. Lim, Jennifer Lim, performed the  
3 surgery on his right eye, is that correct?

4           A     Yes.

5           Q     Did she make any comment about the  
6 condition of the eye in terms of what she saw as  
7 far as how long the condition had been there?

8           A     Yes. During the first surgery, she  
9 commented on the appearance of the torn retina --  
10 description of what she saw in terms of how the  
11 retina appeared and scar tissue that was present.  
12 She said that it had been there a long time.

13          Q     And then with respect to Dr. Munro, she  
14 also commented, did she not, on the retinal  
15 detachment in the right eye and whether or not it  
16 was caused by this incident?

17          A     Yes. She put in writing that he had  
18 restrictions, based on his visual acuity of the  
19 right, but that the retinal detachment itself was  
20 not from trauma or from a duty incident.

21          Q     Did she mention as well that this type of  
22 symptom can sporadically occur in individuals based  
23 on their condition of their eye over time, age and  
24 so forth?



1           A     Yes.  She said it could happen  
2 spontaneously to otherwise healthy people.

3           Q     Does the fact that he also had a similar  
4 condition in his left eye indicate to you anything  
5 about why he had the condition in his right eye as  
6 well?

7           A     I think the natural history of retinal  
8 disease leading up to a tear and having it in the  
9 left eye would strongly suggest that Lieutenant  
10 Brandon has underlying retina disease.

11                   I know that when I spoke to him he had --  
12 I don't think he completely understood the meaning  
13 of the word "floater" when they were asking him  
14 about floaters.  He explained that today and he  
15 explained that to me.  But he had some dots in his  
16 visual field in the right eye before the duty  
17 incident.  At least one of the doctors documented  
18 he was also seeing flashing lights.  Although, in  
19 my discussion with Lieutenant Brandon, he didn't  
20 remember that.  But those are signs of impending  
21 retina detachment.

22                   In the left eye, in 2019, he was having  
23 floaters and he was diagnosed with posterior  
24 vitreous detachment.  That is where the jelly part

1 within the ball of the eye, that is what gives the  
2 eyeball its shape, dries out with age and pulls on  
3 the retina, which is the membrane in the back of  
4 the eye, and makes small holes and tears. And the  
5 result of that is you will see floaters or black  
6 dots and sometimes flashing lights. And then  
7 sometimes it remains asymptomatic. Like for his  
8 left eye, he had a large tear but was asymptomatic  
9 and it was repaired with laser.

10 It would be very likely to suspect that  
11 he would have the same kind of disease on the right  
12 eye.

13 Based on the appearance of what Dr. Lim  
14 described in her surgery, it appears that those  
15 retinal holes and tears were present before the  
16 duty incident.

17 Q Getting to the nub of the matter I guess,  
18 the incident he described that something got into  
19 his eye on that date, from what he described  
20 happened, is that the type of thing that would have  
21 caused or exacerbated I guess the condition in his  
22 right eye that was going on?

23 A We know that blunt ocular trauma, getting  
24 hit with something to the eyeball, can definitely

1 be a cause of retinal detachment. But in this case  
2 it is not entirely clear what hit him in the eye.  
3 It sounds like it was probably salt. It could have  
4 been grains of salt or pieces of salt. Whatever it  
5 was it caused burning, that would fit with salt.

6 It doesn't appear that it was the type of  
7 blunt ocular trauma that would be expected to cause  
8 a retinal detachment. He wasn't hit with a large  
9 object to the eye or face.

10 When the ophthalmologists did their exams,  
11 you know, the same day of his injury, they did not  
12 describe any external ocular injury. Such as a  
13 corneal abrasion or a hyphema or a subconjunctival  
14 hemorrhage. These would be things that you would  
15 see if somebody got hit in the eye with a degree of  
16 force.

17 Q Based upon that and your review of the  
18 records, would you agree with Dr. Monroe's statement  
19 that the detachment was not related to work trauma  
20 of this incident or disagree with it?

21 A I agree with Dr. Monroe's statement about  
22 the etiology or the cause of the retinal  
23 detachment.

24 MR. PINELLI: Thank you, doctor. That's

1 all the questions I have of the doctor.

2 CHAIRMAN FORTUNA: Trustees, any  
3 questions?

4 Hearing none.

5 MR. PINELLI: Lieutenant Brandon, I have  
6 asked the doctor questions, you just heard him, and  
7 the answers. Do you have anything you wish to ask  
8 of the doctor?

9 MR. BRANDON: Yes. Dr. Munro is only --  
10 she wasn't someone that was taking care of me. She  
11 was just pretty much writing down what Dr. Lim was  
12 telling her. It was really not two people against  
13 one, you know. She just repeating what she's been  
14 told.

15 And I do understand, I have been doing my  
16 research, that I know -- I have talked to several  
17 people that have floaters for, you know, something  
18 in the eye and they never had a detachment.

19 And so I get both sides. I understand  
20 what he is saying. But I have known people that  
21 have had floaters and never had no issues. And the  
22 fact of the matter is I could see when I went to  
23 work that morning and I couldn't after something  
24 hit me in my eye.

1           Like I said, I understand exactly what  
2 he's saying but he still can't stop to understand  
3 that that was happening.

4           And the other thing is that when I went  
5 to the University of Chicago, they told me it was  
6 an emergency. I need to get to surgery. I was  
7 going to go Monday. But I called Medical because  
8 Medical was closed on the weekend because that is  
9 when it happened and I was told, no, you cannot  
10 have the surgery. You cannot go there. You have  
11 to come to Medical first or you will be paying for  
12 this on your own.

13           I was, you know, distracted. I was  
14 caught between what should I do? This is my vision  
15 but can I afford it? You know, if they do all  
16 this, what am I going to do with the payment? I  
17 didn't know what to do. I prayed on it and  
18 everything.

19           So I went on and went to Medical and in  
20 the process of doing that it went a week or two  
21 out. And like the doctor said, that is probably  
22 why I can't see out of my eye today. If they would  
23 have probably did the surgery immediately like I  
24 was told to, I would probably be able to see right

1 now.

2 MR. PINELLI: That sounds like a  
3 statement you made to the Board to make your point,  
4 that's fine. I just wanted to release the doctor  
5 from any more testimony.

6 MR. BRANDON: That's fine.

7 MR. PINELLI: Unless you have a specific  
8 question for him, then I would say his testimony is  
9 completed.

10 MR. BRANDON: That is fine. I don't have  
11 any more questions.

12 MR. PINELLI: Thank you, doctor.

13 Then you, obviously, made some points to  
14 the Board. Is there anything you wish to add to  
15 that before they conclude the evidence or have you  
16 covered everything?

17 DOCTOR PETERS: I think I have covered  
18 everything.

19 MR. PINELLI: I actually meant that for  
20 the Lieutenant, but, thank you, doctor.

21 DOCTOR PETERS: Sorry.

22 MR. PINELLI: That is okay. Your  
23 testimony is done. I was just asking Lieutenant  
24 Brandon if there is anything else, other than what

1 he already said to the Board, that he wishes to say  
2 before the evidence is closed?

3 MR. BRANDON: No, I think that is all I  
4 have to say.

5 MR. PINELLI: Thank you. Then the  
6 evidence in this matter is completed.

7 MEMBER MURPHY: Mr. President, I would  
8 like to make a motion to go into executive session  
9 based on Section 2(c)4 of the Open Meetings Act.

10 MEMBER SHERIDAN: Second.

11 CHAIRMAN FORTUNA: Motion to go into  
12 executive session by Trustee Murphy. Seconded by  
13 Trustee Sheridan.

14 Trustee Murphy.

15 MEMBER MURPHY: Yes.

16 CHAIRMAN FORTUNA: Trustee Sheridan.

17 MEMBER SHERIDAN: Yes.

18 CHAIRMAN FORTUNA: Trustee Soni.

19 MEMBER SONI: Yes.

20 CHAIRMAN FORTUNA: Trustee Martin

21 MEMBER MARTIN: Yes.

22 CHAIRMAN FORTUNA: Trustee Tebbens.

23 MEMBER TEBBENS: I will abstain.

24 CHAIRMAN FORTUNA: Trustee Valencia.

1 MEMBER VALENCIA: Yes.

2 CHAIRMAN FORTUNA: And I am a yes.

3 We are in executive session.

4 (Whereupon, the Board went into  
5 Executive Session off the record.  
6 No action was taken in Executive  
7 Session.)

8 MEMBER MURPHY: Mr. President, I'd like  
9 to make a motion to grant the benefits requested by  
10 Lieutenant Marlon Brandon.

11 CHAIRMAN FORTUNA: There is a motion to  
12 grant by Trustee Murphy. Is there a second?

13 MEMBER MARTIN: Second.

14 CHAIRMAN FORTUNA: Second by Trustee  
15 Martin.

16 Trustee Murphy.

17 MEMBER MURPHY: No.

18 CHAIRMAN FORTUNA: Trustee Sheridan.

19 MEMBER SHERIDAN: No.

20 CHAIRMAN FORTUNA: Trustee Soni.

21 MEMBER SONI: No.

22 CHAIRMAN FORTUNA: Trustee Martin

23 MEMBER MARTIN: No.

24 CHAIRMAN FORTUNA: Trustee Tebbens.



1 MEMBER TEBBENS: No.

2 CHAIRMAN FORTUNA: Trustee Valencia.

3 MEMBER VALENCIA: No.

4 CHAIRMAN FORTUNA: I am a no.

5 MEMBER MURPHY: I would like to make a  
6 motion to deny the request by Lieutenant Marlon  
7 Brandon.

8 MEMBER VALENCIA: Second.

9 CHAIRMAN FORTUNA: There is a motion to  
10 deny by Trustee Murphy. Seconded by Trustee  
11 Valencia.

12 Trustee Murphy.

13 MEMBER MURPHY: Yes.

14 CHAIRMAN FORTUNA: Trustee Sheridan.

15 MEMBER SHERIDAN: Yes.

16 CHAIRMAN FORTUNA: Trustee Soni.

17 MEMBER SONI: Yes.

18 CHAIRMAN FORTUNA: Trustee Martin

19 MEMBER MARTIN: Yes.

20 CHAIRMAN FORTUNA: Trustee Tebbens.

21 MEMBER TEBBENS: Yes.

22 CHAIRMAN FORTUNA: Trustee Valencia.

23 MEMBER VALENCIA: Yes.

24 CHAIRMAN FORTUNA: I am a yes.

1 Motion carries.

2 Brandon, can you hear me, sir?

3 MR. BRANDON: Yes, I am on.

4 CHAIRMAN FORTUNA: Based on the evidence  
5 that we have heard and considered, the Trustees  
6 have voted to deny the benefit that you have  
7 requested. You will be notified by mail of the  
8 Findings of Fact and the Board's decision.

9 Thank you.

10 MEMBER TEBBENS: Mr. Chairman, I don't  
11 know if I need a motion for this but there was some  
12 technical difficulties during public comments.  
13 There is an individual that would have liked to  
14 have spoken. Will you do that or will I need a  
15 motion to suspend the rules.

16 CHAIRMAN FORTUNA: I don't think I can  
17 redo that because we already moved on.

18 MEMBER TEBBENS: I will make a motion to  
19 suspend the rules.

20 CHAIRMAN FORTUNA: Okay.

21 MS. BURNS: Vince, we have another  
22 hearing, right?

23 MR. PINELLI: We do have a matter. I  
24 don't think it's going to be contested but we do

1 have another matter.

2 MS. BURNS: So now is the time that  
3 Trustee Tebbens wants to do the motion. It would  
4 be a motion to go out of the regular order of  
5 business to allow for public comment, even though  
6 the period of time for public comment has lapsed.

7 It would be contrary to your policy,  
8 which says that individuals wishing to address the  
9 Board must be present to provide their comments at  
10 the appropriate time set forth in the Board's  
11 meeting agenda. That being said, he has the right  
12 to make that motion to go out of the regular order  
13 of business.

14 MEMBER TEBBENS: Based on the technical  
15 difficulty that we experienced both with the  
16 applicant today, who had difficulty getting on,  
17 that is consistent with the difficulty that the  
18 individual had for public comment.

19 MEMBER MARTIN: I will second that  
20 motion.

21 CHAIRMAN FORTUNA: There is a motion and  
22 there is a second by Trustee Martin.

23 Trustee Murphy.

24 MEMBER MURPHY: Yes.

1 CHAIRMAN FORTUNA: Trustee Sheridan.

2 MEMBER SHERIDAN: Yes.

3 CHAIRMAN FORTUNA: Trustee Soni.

4 MEMBER SONI: Yes.

5 CHAIRMAN FORTUNA: Trustee Martin

6 MEMBER MARTIN: Yes.

7 CHAIRMAN FORTUNA: Trustee Tebbens.

8 MEMBER TEBBENS: Yes.

9 CHAIRMAN FORTUNA: Trustee Valencia.

10 MEMBER VALENCIA: Yes.

11 CHAIRMAN FORTUNA: I am a yes.

12 Motion carries.

13 MR. WELLER: As I understand it, we are  
14 now going to allow public comment?

15 CHAIRMAN FORTUNA: Yes. I better go  
16 through that once again.

17 Public Comment. Consistent with Public  
18 Act 91-0715 and reasonable constraints determined  
19 by the Board of Trustees, at each regular meeting  
20 of the Board or its committees that is open to the  
21 public, members of the public may request a brief  
22 time to address the Board on relative matters.

23 So now are there any requests for public  
24 comment?

1 MR. WELLER: We have one. Any others?

2 Chris, can you identify this individual  
3 by the last four digits of their phone number?

4 MR. MORALES: Yes, I identified this  
5 person to be Mr. Hesslau.

6 MS. BURNS: Mr. Hesslau, the floor is  
7 yours, if you would like to address the Board.

8 MR. HESSLAU: Thank you, very much for  
9 the opportunity to speak to you guys again.

10 As you can imagine, there has been quite  
11 a bit going on with my family and I over the past  
12 two weeks. I respect the way that this system  
13 works.

14 I have something that I would like to  
15 just to speak and just kind of give my piece.

16 I joined CFD in 2017 as a candidate fire  
17 paramedic and finally fulfilled my life goal of  
18 belonging to the best fire department in the  
19 country.

20 During my previous experience in EMS, I  
21 felt comfortable enough to take a promotion early  
22 on in my career to the rank of PIC.

23 I was assigned to Ambulance 22, House of  
24 Engine 72, Tower 34 and Battalion 23. I served

1 alongside some of the bravest and best in the field  
2 in the southeast side of the City of Chicago.

3 The amount of pride that I took in saying  
4 that I belonged to Ambulance 22 of the Chicago Fire  
5 Department is immeasurable. Seeing firsthand the  
6 acts of courage that my fellow brothers and sisters  
7 put up on display every day was inspiring. It made  
8 me want to become the best paramedic that I could  
9 be.

10 People are always talking about this  
11 division within the department between firefighters  
12 and paramedics. I have had so many horror stories  
13 told to me about this. But in the limited  
14 experience that I had with this department, that is  
15 something that I have never seen. In fact, some of  
16 the most supportive people during this time came  
17 from the firefighters lending a hand.

18 An example of this was due to how  
19 symptomatic I was before I received treatment at  
20 the Mayo Clinic. Engine 86 came out to my house in  
21 the winter of 2020 to dig out my families vehicles  
22 that were buried in snow. Not because I asked them  
23 to but because they heard my story and wanted to  
24 help.

1                   When I was first denied access to the  
2                   Mayo Clinic, the outpouring of both support and  
3                   love by both firemen and paramedics was  
4                   overwhelming.

5                   There was no division out of this  
6                   department. The division may have existed in years  
7                   past but it is not there now. We are one.

8                   Obviously, you guys know about the ruling  
9                   that happened on the 26th of January with me being  
10                  denied my rights to the Duty Disability.

11                  This shock came after being classified as  
12                  quote maximum medical improvement end quote and  
13                  told by the Covid specialist at the world renown  
14                  Mayo Clinic that quote due to his medical  
15                  condition, it is my medical opinion that he would  
16                  not be able to return back to his job as a  
17                  paramedic or in other similar safety sensitive  
18                  condition on a medical more probable than not basis  
19                  end quote.

20                  Even with this extremely, my opinion,  
21                  definitive statement, the Pension Board, which I  
22                  understand how the process works, and the doctor,  
23                  who represents the Pension Board, felt the thoughts  
24                  and diagnosis from the world renown Mayo Clinic

1 were not accurate and took the advice more so from  
2 the Pension Board doctor, who, to the best of my  
3 knowledge, is not a Covid specialist.

4 I am not here today to talk badly about  
5 you guys or to talk badly about the doctor or  
6 anyone else. I am here today to talk about the  
7 actions that happened today are going to effect  
8 what happens tomorrow.

9 If we find it appropriate that a Local 2  
10 member in good standing with the union and the  
11 Region 11 system, who works for one of the busiest  
12 ambulances on the southeast side of the City, who  
13 contracted Covid during the year of 2020 before any  
14 form of vaccine was available, who developed  
15 post-Covid symptoms, who has documented cases of  
16 TIA mini strokes on file, who has a documented case  
17 of myocarditis, who was treated by one of the most  
18 well-respected hospitals systems in the world being  
19 the Mayo Clinic. Who has had more syncopal  
20 episodes that he would care to admit due to these  
21 post-Covid complications. Who was terrified for  
22 his life. To be cast aside and not given what he  
23 is owed is wrong.

24 I am not here today to point fingers or



1 to put blame on anyone or any entity but the fact  
2 of the matter remains the same.

3 The only way for me to return to work at  
4 the CFD is for me to find a doctor to go against  
5 what my Mayo Clinic physicians have said and that  
6 is wrong and that is something that goes against  
7 every fiber of my being and that will not be done  
8 on my part.

9 My family has gone to hell and back since  
10 November of 2020 until today. What is sad about  
11 that is that in all reality the end is nowhere in  
12 sight for us. But one thing that my father  
13 engrained in my brain from a young man is that  
14 integrity is everything. Without integrity, you  
15 are nothing.

16 I plan on teaching my four and five year  
17 old children the same morals.

18 I cannot in good conscience take the easy  
19 way out and accept what is being ruled against me  
20 as final. All the while teaching my children to  
21 stand up for what is right while I, as their  
22 father, their role model, chooses not to. That  
23 will never happen.

24 And I am speaking before you guys today,

1 not only the proud member of Local 2, a fellow  
2 brother to some and a paramedic, but also the man  
3 who will not allow his name to be dragged through  
4 the mud.

5 Thank you.

6 CHAIRMAN FORTUNA: Thank you.

7 MEMBER TEBBENS: God bless, you Danny.

8 Good luck to you.

9 MS. BURNS: Any other comments, Kelly?

10 MR. WELLER: There were no other raised  
11 hands.

12 MS. BURNS: Then we will go back to the  
13 regular order of business. The next matter is the  
14 Flood matter.

15 Vince is still on so he will be happy to  
16 address that.

17 This is a woman whose Widow's Annuity  
18 payments have been suspended by this Board for the  
19 last couple of years. I believe since 2019, Vince.

20 MR. PINELLI: Yes.

21 MS. BURNS: It was brought to our  
22 attention that the marriage upon which she relied  
23 for benefits may have been fraudulently obtained.

24 In other words, she wasn't really married to the

1 individual who she claimed to have been married to.

2 Two or three years ago the Board  
3 suspended the widow's annuity payments. We are now  
4 bringing the matter back to you today to formally  
5 terminate the benefits, if that is your decision.  
6 In which case, we would then notify her and she  
7 again would have the right to appeal just like any  
8 other applicant.

9 Okay, Vince.

10 MR. PINELLI: Thank you, Mary Pat.

11 Let the record reflect this is a hearing  
12 to determine whether the Widow's Annuities benefit  
13 previously granted to Jeanne Flood, in 2006, which  
14 was suspended by this Board in November of 2019,  
15 should now be terminated.

16 With respect to that, I present to the  
17 Board for its consideration what's been marked as  
18 Board Exhibits 1 through 12. At this time, Mr.  
19 Chairman, I would move for admission of Board  
20 Exhibits 1 through 12 into the record.

21 CHAIRMAN FORTUNA: Admitted without  
22 objection.

23 (Board Exhibits 1 through 12 were  
24 admitted into the record.)

1 MS. BURNS: I apologize for interrupting  
2 but are you going to explain that notice was given  
3 to Ms. Flood?

4 MR. PINELLI: Yes, that was exactly what  
5 I was going to do.

6 MS. BURNS: Thank you.

7 MR. PINELLI: Board Exhibit 1 is a Notice  
8 of Hearing that was sent to Ms. Flood about this  
9 hearing. The date and time, location, what her  
10 rights are, what she could do to participate in the  
11 hearing.

12 Board Exhibit Number 2 is a confirmation  
13 of signed delivery of that notice, which was sent  
14 to her so she did accept and sign for it as the  
15 record reflects from FedEx. It was a signature  
16 delivery and the record from FedEx indicates that  
17 she actually signed for it.

18 We have pretty solid evidence that she  
19 has knowledge of the hearing, was given this notice  
20 that she could participate, if she so chose to do  
21 so.

22 To my knowledge, we have received nothing  
23 from her indicating her desire to participate in  
24 the hearing. And, obviously, she's not

1 participating at this time as well.

2 That being the case, I feel very  
3 confident the Board can move forward after giving  
4 her due notice of this hearing.

5 So the record is clear, this isn't the  
6 first notice she's had about the issue. As Mary  
7 Pat explained, this goes back to 2019 when the  
8 information was first provided to the Fund staff,  
9 that there was a question about this marriage.

10 Subsequently there were attempts to  
11 obtain the proper certified copy of the marriage  
12 certificate that the Board could rely on in order  
13 to determine that it was a valid marriage, which  
14 actually was a remarriage because they were married  
15 initially, then they divorced and then allegedly  
16 remarried in 1992. It is that second marriage that  
17 is at issue here.

18 In any event, she did get proper notice.  
19 She's not here to participate. The records that  
20 you have in the Board Exhibits 4 through 12 lay out  
21 pretty clearly that the Board does not have a  
22 certified record of this marriage and through staff  
23 we attempted to get that information both by  
24 reaching out to the Register, who is the one who

1 has the official marriage records. They directed  
2 the staff to the actual church where the marriage  
3 was supposed to have taken place as they repository  
4 of a record, if there was one.

5 So staff did that. They contacted the  
6 church and the church provided a response basically  
7 saying we have no record of such a marriage ever.  
8 It wasn't just we don't have a record of that date,  
9 we don't have a record that such a marriage ever  
10 actually occurred at that church.

11 In addition to that, if you look at the  
12 reported marriage certificate itself, it lists on  
13 the marriage certificate as the witnesses, so what  
14 I am looking at is Board Exhibit 6 at the moment  
15 this is the purported marriage certificate, and at  
16 the bottom it indicates the witnesses to this  
17 purported marriage are George Kenton and Edna  
18 Kenton, who are apparently the parents.

19 Through other investigation, we were  
20 provided documents of death certificates of those  
21 two people, which are Board Exhibits 7 and 8.  
22 George Kenton died in October of 1982 so ten years  
23 before this purported marriage occurred. Edna  
24 Kenton died in January of 1958 which is even longer

1 before the date of this purported marriage.

2 So, given that information, I think there  
3 is a very clear fundamental question as to whether  
4 or not this certificate that was provided to the  
5 Board is fraudulent, but certainly there are  
6 serious questions as to the authenticity of it.

7 We made a very good attempt through staff  
8 to try to get an authentic record of marriage and  
9 were unsuccessful in going to the source for such a  
10 certificate, if in fact it had occurred.

11 Between that, the failure to provide an  
12 authenticate certificate, and the questions that  
13 had been raised on the certificate that was  
14 provided to us, I think the Board was well within  
15 its rights and purview, and, in fact, prudent to  
16 suspend this benefit back in November of 2019 when  
17 it did that.

18 Now having given the purported widow  
19 plenty of opportunity of notice and the opportunity  
20 to provide us with countervailing evidence or  
21 evidence to support this purported marriage and she  
22 has failed to do so, I think there is a record here  
23 that is very sufficient for the Board to now just  
24 terminate this benefit at this time.

1                   MEMBER MARTIN: Mr. President, I'd like  
2 to make a motion to terminate the benefit.

3                   MEMBER SONI: I have one question. What  
4 happens to the benefits that were previously paid?

5                   MS. BURNS: That is an excellent  
6 question, Trustee Soni. If this Board determines  
7 to terminate the benefit today, then we will be  
8 back to you next month putting together a record  
9 that establishes that there may be a reasonable  
10 suspicion that for the period of time she received  
11 the benefits that those benefits were received  
12 fraudulently and I will ask you then to report this  
13 matter to the State's Attorney.

14                   She had received approximately \$300,000  
15 before we suspended this benefit. We can't really  
16 take it back from her but we can definitely,  
17 consistent with your obligations under Section  
18 1-135 of the Pension Code, we can report the matter  
19 to the State's Attorney, if that is the Board's  
20 direction.

21                   CHAIRMAN FORTUNA: Trustee Soni, are you  
22 satisfied with that explanation?

23                   MEMBER SONI: Yes, President Fortuna.  
24 Thank you, very much. Thank you, Mary Pat.



1 MS. BURNS: Thank you, Trustee Soni.

2 CHAIRMAN FORTUNA: There is a motion by  
3 Trustee Martin.

4 MEMBER MURPHY: Second.

5 CHAIRMAN FORTUNA: Seconded by Trustee  
6 Murphy.

7 MS. BURNS: Ms. Flood, we just want to  
8 make sure that you are not on the phone. There are  
9 several unidentified numbers. Are you available on  
10 this line? If so, please press star six.

11 Not hearing from Ms. Flood, I think then  
12 your motion is ready to be voted upon, sir.

13 CHAIRMAN FORTUNA: Once again there is a  
14 motion by Trustee Martin. Seconded by Trustee  
15 Murphy.

16 Trustee Murphy.

17 MEMBER MURPHY: Yes.

18 CHAIRMAN FORTUNA: Trustee Sheridan.

19 MEMBER SHERIDAN: Yes.

20 CHAIRMAN FORTUNA: Trustee Soni.

21 MEMBER SONI: Yes.

22 CHAIRMAN FORTUNA: Trustee Martin

23 MEMBER MARTIN: Yes.

24 CHAIRMAN FORTUNA: Trustee Tebbens.

1 MEMBER TEBBENS: Yes.

2 CHAIRMAN FORTUNA: Trustee Valencia.

3 MEMBER VALENCIA: Yes.

4 CHAIRMAN FORTUNA: I am a yes.

5 Motion carries.

6 MEMBER MURPHY: Moving on, Mr. President,

7 I'd like to make a motion to approve the Board

8 Physician's recommendations for reviews.

9 MEMBER SONI: Second.

10 CHAIRMAN FORTUNA: There is a motion by

11 Trustee Murphy. Seconded by Trustee Soni.

12 Trustee Murphy.

13 MEMBER MURPHY: Yes.

14 CHAIRMAN FORTUNA: Trustee Sheridan.

15 MEMBER SHERIDAN: Yes.

16 CHAIRMAN FORTUNA: Trustee Soni.

17 MEMBER SONI: Yes.

18 CHAIRMAN FORTUNA: Trustee Martin

19 MEMBER MARTIN: Yes.

20 CHAIRMAN FORTUNA: Trustee Tebbens.

21 MEMBER TEBBENS: Yes.

22 CHAIRMAN FORTUNA: I am a yes.

23 Motion carries.

24 MEMBER MURPHY: Moving on to Investments,

1 I would like to turn this over to Trustee Martin  
2 and Lorna.

3 CHAIRMAN FORTUNA: Trustee Martin.

4 MEMBER MARTIN: We have a couple of  
5 motions that came out of the Committee yesterday.  
6 I think, Lorna, if you want to take over from here.

7 MS. SCOTT: The Committee did meet  
8 yesterday. There were four items on the agenda.

9 The Committee reviewed the 2021 MWDBE  
10 Broker Utilization and we are meeting our targets  
11 there.

12 The Committee reviewed the Statement of  
13 Investment Policy and after discussion the  
14 Committee is recommending adopting the revised  
15 Statement of Investment Policy.

16 The third item, the Committee considered  
17 Callan's recommendation to issue you a RFP for  
18 infrastructure manager. After discussion, the  
19 Committee is recommending issuing that RFP.

20 The final agenda item was the Investment  
21 Report. Brady discussed Fund performance for  
22 fourth quarter of 2021 and I provided an update on  
23 Fund performance for January of this year.

24 With that synopsis of the Committee, I am

1 looking for the motions to ratify the Committee  
2 recommendations related to the revised Statement of  
3 Investment Policy and the RFP.

4 MEMBER MURPHY: Mr. President, I'd like  
5 to make a motion to adopt the recommendation of the  
6 Investment Committee to revise the Statement of  
7 Investment Policy as presented. Is there a second?

8 MEMBER MARTIN: I will second it.

9 MEMBER MURPHY: I would like to take the  
10 vote now. Trustee Sheridan.

11 MEMBER SHERIDAN: Yes.

12 MEMBER MURPHY: Trustee Soni.

13 MEMBER SONI: Yes.

14 MEMBER MURPHY: Trustee Martin

15 MEMBER MARTIN: Yes.

16 MEMBER MURPHY: Trustee Tebbens.

17 MEMBER TEBBENS: Yes.

18 MEMBER MURPHY: I am a yes.

19 Motion carries.

20 I would like to make another motion to  
21 adopt the recommendations of the Investment  
22 Committee to approve the issuance of a RFP for an  
23 infrastructure manager.

24 MEMBER MARTIN: I'd second it.

1 MS. BURNS: Seconded by Martin.

2 MEMBER MURPHY: Roll call vote.

3 Trustee Sheridan.

4 MEMBER SHERIDAN: Yes.

5 MEMBER MURPHY: Trustee Soni.

6 MEMBER SONI: Yes.

7 MEMBER MURPHY: Trustee Martin

8 MEMBER MARTIN: Yes.

9 MEMBER MURPHY: Trustee Tebbens.

10 MEMBER TEBBENS: Yes.

11 MEMBER MURPHY: I am a yes.

12 Motion carries.

13 MS. SCOTT: The next item was the

14 Investment Report and I did cover that in

15 Committee.

16 The last item, consideration and approval  
17 of Fund rebalancing, that we have to cover still.

18 Looking at the rebalancing template, this  
19 shows your allocation as of February 11th. We have  
20 a million dollars at Northern Trust. Jackie is  
21 going to need about \$28.9 million at this point in  
22 time to cover benefit payments at the end of the  
23 month.

24 Without any City contributions, which we

1 are hoping for prior to month's end, this is the  
2 worst case scenario, we get nothing, we need \$28.9  
3 million for benefit payments.

4 What I am looking for is we need to raise  
5 \$29 million. That plan is to sell \$14 million in  
6 equities or U.S. equities, sell \$5 million out of  
7 Global ex-U.S. and take \$10 million from fixed  
8 income, that raises our \$29 million. We transfer  
9 \$28.9 million to Chase. That leaves us with  
10 \$1.1 million of cash at Northern.

11 Looking at our variance against target  
12 post-withdrawal, we remain overweight in equities,  
13 offset by an underweight to fixed income.

14 The cash raise again will only be  
15 necessary if we do not receive any contributions.

16 So this, again, is the worst case  
17 scenario, and that is where the motion that I am  
18 looking for is to raise up to \$29 million as  
19 indicated on the rebalancing template. Subject to  
20 modification by the CIO, by me, if we don't have to  
21 raise all this cash, I won't raise it all, pending  
22 the receipt of City contributions.

23 MEMBER SONI: To Lorna's point, we are  
24 proactively trying to get that cash out hopefully

1 by the beginning of next week. We are just working  
2 on that.

3 This would be the portion that is related  
4 to the non-property tax, Lorna. And I think Craig  
5 might be in conversations with you about this but  
6 our goal is to try to get that out next week.

7 If that happens, just to remind me of the  
8 cutoff. I think you need cash by the 25th at  
9 latest is it?

10 MS. SCOTT: So it is the last day of the  
11 month. Actually, this cash is very liquid. So  
12 within three business days of the last day of the  
13 month would be enough time. By the 25th would be  
14 good, by the 24th would be better.

15 MEMBER SONI: Our goal is trying to do it  
16 by the 22nd or 23rd. We are just working through  
17 calculations and we'll work with you on that.

18 MS. SCOTT: In the meantime, again, this  
19 is worst case scenario. In the event we don't get  
20 anything, I would have to raise this cash. That is  
21 where I am looking for the motion to raise this  
22 cash subject to modification.

23 MEMBER MURPHY: Mr. President, I'd like  
24 to make the motion.

1 MEMBER MARTIN: Second.

2 CHAIRMAN FORTUNA: There is a motion by  
3 Trustee Murphy. Seconded by Trustee Martin.

4 Trustee Murphy.

5 MEMBER MURPHY: Yes.

6 CHAIRMAN FORTUNA: Trustee Sheridan.

7 MEMBER SHERIDAN: Yes.

8 CHAIRMAN FORTUNA: Trustee Soni.

9 MEMBER SONI: Yes.

10 CHAIRMAN FORTUNA: Trustee Martin

11 MEMBER MARTIN: Yes.

12 CHAIRMAN FORTUNA: Trustee Tebbens.

13 MEMBER TEBBENS: Yes.

14 CHAIRMAN FORTUNA: I am a yes.

15 Motion carries.

16 MS. SCOTT: With that, that concludes  
17 Investments. We are moving on to the next item.

18 This is Jackie.

19 MS. VLAHOS: Expenditures. All the  
20 expenditures, you have the ability to review those.  
21 They are basically the normal monthly expenditures.

22 The only change that should have been  
23 updated in BoardPaq is originally in the Budget we  
24 had proposed to have a rental for a folder stuffer



1 machine. You can see on our expenditures you will  
2 see that we have come to the conclusion, I think it  
3 is a better option, we discussed with Mary Pat our  
4 attorney as well as Executive Director, to purchase  
5 this machine instead.

6 You are going to see that asterisk and  
7 it's going to be labeled Quadient. I think it is  
8 for \$10,000. That is the only thing I really want  
9 to highlight. Any kind of rental that we have  
10 already paid we will get credit into the future.

11 MEMBER MARTIN: Cash needs.

12 MS. VLAHOS: Cash needs. Lorna just  
13 covered that. Cash needs was basically the same  
14 thing as she was saying. We have a shortage for  
15 cash of \$28 million. She just went over that.  
16 \$28.7 million for the month of February.

17 Like Reshma had said as well, basically,  
18 we're anticipating to have our non-real estate  
19 taxes come in which the amount is like around \$23.3  
20 million. With that, we will still need about \$5  
21 million in property taxes in order to cover our  
22 shortage for our cash.

23 Last year around February 19th is when we  
24 started receiving those property taxes for the due

1 date for March 1st. And last year in February we  
2 received approximately \$20 million in property  
3 taxes.

4 Between the non-real estate portion, like  
5 they were discussing for the 23.3 million, plus  
6 property taxes, we would need an additional \$5  
7 million. It seems likely we won't have to do a  
8 draw down and that is what we are anticipating.

9 We still have on the next page the cash  
10 flow projection showing that we could possibly need  
11 a transfer of the \$28.9 but it is very unlikely.

12 CHAIRMAN FORTUNA: Thank you.

13 MEMBER MURPHY: Mr. President, I'd like  
14 to make a motion to approve those administrative  
15 expenses as they were presented.

16 MEMBER SHERIDAN: Second.

17 CHAIRMAN FORTUNA: There is a motion by  
18 Trustee Murphy. Seconded by Trustee Sheridan.

19 Trustee Murphy.

20 MEMBER MURPHY: Yes.

21 CHAIRMAN FORTUNA: Trustee Sheridan.

22 MEMBER SHERIDAN: Yes.

23 CHAIRMAN FORTUNA: Trustee Soni.

24 MEMBER SONI: Yes.

1 CHAIRMAN FORTUNA: Trustee Martin

2 MEMBER MARTIN: Yes.

3 CHAIRMAN FORTUNA: Trustee Tebbens.

4 MEMBER TEBBENS: Yes.

5 CHAIRMAN FORTUNA: I am a yes.

6 Motion carries.

7 MEMBER MURPHY: Moving on to the  
8 Legislative Report.

9 MR. WELLER: I have asked Brandon Phelps  
10 from Phelps Barry to be here.

11 MR. PHELPS: Good morning, ladies and  
12 gentlemen. Thanks for having me. I am Brandon  
13 Phelps with Phelps Barry and Associates.

14 As you all may know, session was in full  
15 swing. They were out last week because of the  
16 weather but they are back in. House and the  
17 Senate.

18 It is a very busy week with the House  
19 having committee deadlines this week so everybody  
20 in the House are trying to get their bills out  
21 because we don't know if there is going to be any  
22 extensions or not.

23 But we have spoken to the House pension  
24 staff, the Senate pension staff, and numerous

1 legislators. At this time there are three bills  
2 that are moving in the Senate that effects you.  
3 There is only two bills that -- one has already  
4 moved and one will be moving in the House.

5 At this time, in the Senate, there will  
6 be Senate Bill 4053, Senate Bill 2952, Senate Bill  
7 3177 and I will go through those with you real  
8 quick. I know you are very busy.

9 Senate Bill 3137 is Leader Cunningham's  
10 trailer bill. All we are doing or what he is  
11 trying to do is reinstate the Age and Service  
12 requirements for a refund.

13 Senate Bill 2952 is Senator Van Pelt's  
14 bill. What it does it allows the Chicago City  
15 Treasurer to appoint a designee in his or her  
16 absence in all matters with the Laborers and  
17 Retirement Board Employees Annuity and Benefit Fund  
18 and also the Firemen's Annuity and Benefit Fund of  
19 Chicago, that is all that does.

20 The last one in the Senate is Senate Bill  
21 4053. It is Senator Martwick. This more or less  
22 raises the annuity from 125 percent of the Federal  
23 Poverty Level to 150 percent of the Federal Poverty  
24 Level, that is all he is doing now.

1           Senator Martwick as you know has done a  
2 lot of bills that effect you. This year he more or  
3 less is focusing on the University Retirement  
4 System and the State Employees System.

5           In the House, House Bill 3662, Leader  
6 Evans. He has already passed that and it was  
7 unanimous. That more or less amended the Workman's  
8 Comp Act to add MRSA.

9           Also, the last bill that will be moving  
10 in the House that effects you is House Bill 4488.  
11 That is Representative Bill Gattos' bill and that  
12 mirrors Senate Bill 2952 to allow the Chicago City  
13 Treasurer to appoint a designee to those Pension  
14 Boards in her absence or his absence.

15           With that, they are supposed to get out  
16 April 8th. I don't know how they are going to do  
17 that but they are going to be in there quite a bit  
18 here in the last of February/March and then just a  
19 little bit of April.

20           The rumor is if they do get out April  
21 8th, they might have to come back to do some  
22 cleanup maybe after the primary.

23           With that, I will take any questions.

24           MEMBER TEBBENS: Brandon, Rob Tebbens

1 here. What was the first bill again?

2 MR. PHELPS: Senate Bill 4053.

3 MEMBER TEBBENS: Refund cleanup?

4 MR. PHELPS: It just raises the annuity  
5 from 125 percent to 150 percent of the Federal  
6 Poverty Level.

7 MEMBER TEBBENS: 3177 is the one I was  
8 talking about.

9 MR. PHELPS: 3177 was Leader Cunningham's  
10 bill. It reinstates the Age and Service  
11 requirements to get a refund. If a paramedic or  
12 firefighter would leave your fund and go to another  
13 department.

14 MEMBER TEBBENS: I am familiar it is  
15 cleanup. What is the status of it right now?

16 MR. PHELPS: It's just moving. He has  
17 got it in Committee. He's got a deadline coming  
18 up. It has to pass by April 1st, Rob.

19 MEMBER TEBBENS: Is there a companion  
20 bill in the House or anything?

21 MR. PHELPS: No. No, there wasn't.

22 MEMBER TEBBENS: Thank you.

23 CHAIRMAN FORTUNA: Thank you, Brandon.

24 We have to move real quick here.

1 MR. PHELPS: Thank you, everybody.

2 MEMBER MURPHY: Kelly, do you have  
3 anything to include?

4 MR. WELLER: I do have a couple items to  
5 report on and we do have one action item.

6 As we have done in the past, whenever  
7 there is a new conference that is added to the  
8 approved training and ethics list, we're going to  
9 go ahead and keep an updated rolling list.

10 With that, there was an addition made in  
11 February that the Board would need to vote on. I  
12 am happy to go into more detail. It is a  
13 comprehensive list.

14 With that, I would ask for a motion to  
15 approve the amended training and ethics development  
16 opportunities.

17 MEMBER MURPHY: I'd like to make a motion  
18 to approve the revised list.

19 MEMBER TEBBENS: Second.

20 CHAIRMAN FORTUNA: Motion by Trustee  
21 Murphy. Seconded by Trustee Tebbens.

22 Trustee Murphy.

23 MEMBER MURPHY: Yes.

24 CHAIRMAN FORTUNA: Trustee Sheridan.

1 MEMBER SHERIDAN: Yes.

2 CHAIRMAN FORTUNA: Trustee Soni.

3 MEMBER SONI: Yes.

4 CHAIRMAN FORTUNA: Trustee Martin

5 MEMBER MARTIN: Yes.

6 CHAIRMAN FORTUNA: Trustee Tebbens.

7 MEMBER TEBBENS: Yes.

8 CHAIRMAN FORTUNA: I am a yes.

9 Motion carries.

10 MEMBER MURPHY: I'd like to ask counsel  
11 to represent any legal updates that she might have.

12 MS. BURNS: There is really nothing new.  
13 We have one matter involving a widow.

14 Trustees might remember from December  
15 2020 to May 2021 we dealt with the Rogers family.  
16 We dealt with them in connection with a child  
17 Jayden, who was reaching the age of majority. He  
18 wasn't living with his parents anymore. He was  
19 living with a brother and the Fund worked to make  
20 sure that the brother who was an adult taking care  
21 of his sibling was receiving the child's annuity  
22 until Jayden hit 18.

23 It was a complicated process. We had  
24 trouble really with the family getting them to sign



1 the requisite paperwork but all that worked out.

2 Fast forward, the mother, Ms. Rogers, who  
3 is our widow's annuitant, her situation seems to be  
4 deteriorating. Staff has done a great job. Lori  
5 is outstanding in how she has handled this for this  
6 woman.

7 The son is trying to move the account  
8 into his name. Same elder son that I dealt with  
9 with Jayden, the younger sibling. Matthew the  
10 older son is trying to move the account into his  
11 name, to his online bank, instead of having it go  
12 directly to the mother who is suffering from some  
13 age related illnesses.

14 What we want to ask you to do, because it  
15 appears that the son may be exerting some improper  
16 influence over the mother and it appears that the  
17 mother, although the son says she is living with  
18 him, Lori has verified with social workers, with  
19 the Public Guardian, that this woman is actually in  
20 a nursing home. She is living at Symphony  
21 Southside Nursing Home for Rehabilitation.

22 We have been holding the annuity pending  
23 presenting this matter to the Board. It would be  
24 our recommendation that we continue to hold the

1 monthly annuity so that we make sure that the money  
2 is going to the nursing home or to the son, if in  
3 fact he is caring for the mother. But because  
4 there is a Public Guardian that is going to be  
5 appointed to help with this woman, we want to give  
6 it some time to be able to make sure that the money  
7 is being preserved and again going to be used in  
8 her best interest because staff has some concern  
9 that the son may not be using the money to advance  
10 his mother's interest.

11 With that, unless there are questions,  
12 consistent with this Board's authority to make sure  
13 that its members are protected, it would be our  
14 advice that the payments be formally suspended  
15 pending resolution of this issue, with staff having  
16 discretion, Kelly in particular, and after legal  
17 signs off on it, to have those payments directed  
18 either to the nursing home or to the Public  
19 Guardian, if in fact the matter is resolved prior  
20 to the next meeting.

21 MEMBER MURPHY: I would like to make a  
22 motion based on the facts as presented by  
23 counsel.

24 MEMBER SHERIDAN: Second.

1                   CHAIRMAN FORTUNA: Motion by Trustee  
2 Murphy. Seconded by Trustee Sheridan.  
3                   Trustee Murphy.  
4                   MEMBER MURPHY: Yes.  
5                   CHAIRMAN FORTUNA: Trustee Sheridan.  
6                   MEMBER SHERIDAN: Yes.  
7                   CHAIRMAN FORTUNA: Trustee Soni.  
8                   MEMBER SONI: Yes.  
9                   CHAIRMAN FORTUNA: Trustee Martin  
10                  MEMBER MARTIN: Yes.  
11                  CHAIRMAN FORTUNA: Trustee Tebbens.  
12                  MEMBER TEBBENS: Yes.  
13                  CHAIRMAN FORTUNA: I am a yes.  
14                  Motion carries.  
15                  MEMBER MURPHY: Mr. President, I'd like  
16 to move on to old business or new business.  
17                  CHAIRMAN FORTUNA: Any old business? Any  
18 new business?  
19                  MEMBER MURPHY: I would like to make a  
20 motion to adjourn today's meeting.  
21                  MEMBER MARTIN: Second.  
22                  CHAIRMAN FORTUNA: There is a motion to  
23 adjourn. All in favor?  
24                                   (Chorus of ayes.)

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CHAIRMAN FORTUNA: We are adjourned.  
Thank you, very much.

(WHICH WERE ALL THE PROCEEDINGS  
IN THE ABOVE-ENTITLED MEETING  
AT THIS DATE AND TIME.)

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF DU PAGE )  
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 *Debbie Tyrrell*

18 DEBBIE TYRRELL, CSR  
19 License No. 084-001078  
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