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BEFORE

THE RETIREMENT BOARD

FIREMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO

IN THE MATTER OF)
 REGULAR MEETING NO. 1081)

STENOGRAPHIC REPORT OF PROCEEDINGS had at

the video conference meeting of the above-entitled

matter, held at 20 South Clark Street, Suite 300,

in the City of Chicago, County of Cook, State of

Illinois, on Wednesday, December 16, 2020,

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

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

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

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

1 have to do at every meeting now, Public Act
2 101-0640 allows this meeting to be conducted by
3 audio and video. The Act requires a roll call vote
4 on each matter acted on.

5 Further, consistent with the Public Act
6 101-0640 for the record I am physically present at
7 the Fund's office as is Fund counsel.

8 We are proceeding by video conference
9 because we continue to believe that due to the
10 pandemic it is prudent not to be physically present
11 in the same space.

12 We have posted a notice of this meeting
13 in accordance with the Open Meetings Act and the
14 meeting is being recorded. The transcript will be
15 provided after approval and will be made available
16 on the Fund website.

17 Moving on to public comments. Consistent
18 with Public Act 91-0715, and reasonable constraints
19 determined by the Board of Trustees, at each
20 Regular Meeting of the Board or its committees that
21 is open to the public members of the public may
22 request a brief time to address the Board on
23 matters within its jurisdiction.

24 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
4 minute to remember one of our members, Lieutenant
5 Dwain Williams, who recently lost his life to
6 violence. Our thoughts and prayers go out to the
7 family and their colleagues, guys, that were
8 friends of his.

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. So,
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
19 December meeting to elect officers for next year.
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?

3 MEMBER VALENCIA: Second.

4 CHAIRMAN FORTUNA: There is a second.
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
12 President.

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
19 someone that has been the City Clerk, would be
20 ideal. And I would like to maybe have some of the
21 trustees consider someone new, someone like Anna
22 Valencia. Any comments on that?

23 MEMBER VALENCIA: Thank you, very much,
24 Trustee McPhillips. I really appreciate your

1 support and encouragement.

2 At this time, though, I would like to
3 support President Fortuna and continue as the
4 Vice-President, if lucky. I just feel like my
5 capacity right now is at a very low capacity and I
6 don't want to take something on that I can't know
7 that I would be successful in. But, thank you, for
8 your encouragement and throwing my name out there.

9 MEMBER MCPHILLIPS: That's okay, but
10 while I am not going to push you, I am going to
11 pull you to this role, Anna. I really don't think
12 you have to worry about the capacity, there is not
13 too much to it.

14 If you look at the administrative
15 expenses, the legal counsel takes care of a lot of
16 the stuff that has to be done. Dan really is just
17 more of kind of, you know, reading from the script.

18 But what is more concerning is that I
19 think at the Pension Fund, we really turned a
20 corner of doing things new, rather than the old way
21 of doing it and I think you represent that.

22 I can't believe any trustee wouldn't
23 think you are capable, especially since you preside
24 over the City Council. But, you know, I think

1 there's been some mismanagement at the Pension Fund
2 and we changed that ever since you got here and I
3 really want to kind of move on to this new
4 generation of leaders as you spoke about.

5 If any trustees want to speak about the
6 mismanagement, I think you should. I mean, that is
7 kind of your role to make sure that we are
8 administered properly. But I think some of the
9 nonsense we have been here -- you know, I don't
10 mean nonsense, but some of the issues we have been
11 having at the Fund the last two years can be
12 resolved with somebody new and I think that is you.
13 I really do.

14 I mean, there's been a lot of push in the
15 last two years for having females, more Black and
16 Brown people. And then for you to not to take this
17 role I guess is a little concerning.

18 You know, we talked about a new auditor
19 last month and the big push was that it be somebody
20 of color. And I supported that not so much because
21 it was someone of color but because we needed
22 somebody different and that is why we had a change
23 and I think that same concept applies here. We
24 need somebody different. We need to change things

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,
4 but I think we need new blood.

5 So I would like to hear some comments
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

1 on to the vote.

2 MEMBER MCPHILLIPS: If I can, is
3 everyone's volume working? I can't believe there
4 is not any other comments from some of the trustees
5 that are constantly pushing, you know, females and
6 especially Black and Brown of color in leadership
7 roles.

8 Here we are in our own board not going to
9 move forward somebody, you know, of this stature.
10 It just doesn't seem logical to me.

11 MEMBER VALENCIA: Tim, I appreciate your
12 support a lot and I think everyone here on the
13 board would support me. I am not afraid of that.

14 I just at this time also I think what we
15 are talking about in terms of equity is the ability
16 to also say no. As much as I am supportive, and
17 talk the walk and walk the talk, or whatever that
18 is. It is early, I am on my first cup of tea. I
19 just know personally that this -- I feel like I can
20 do a very good role as Vice-President at this time,
21 with all the things I have going on on my plate.
22 But I appreciate you supporting and I know that the
23 women on this board would support it, too. But I
24 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
4 our new Executive Director and the President I
5 think that we had a lot of success and it is not
6 just one person. It's been a team effort and I
7 really have seen that come to light. And having
8 Treasurer Melissa Conyears-Ervin and Reshma and
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
19 probably alluding to me as well.

20 Certainly, he knows and I appreciate the
21 diversity and inclusion extremely -- (Audio
22 distortion.)

23 -- to change their mind for this type of
24 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
4 and inclusion of this board, I think a lot of work
5 has been done by all of the Trustees. We work
6 together as a team and I have seen that in
7 President Fortuna and his support for diversity and
8 inclusion of this Pension Fund. And so what can we
9 do now but move forward with the vote.

10 CHAIRMAN FORTUNA: I am going to take the
11 vote. We have to get moving here. There is a
12 motion and there is a second.

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
19 than Trustee Fortuna?

20 MEMBER SONI: This is Trustee Soni. I
21 just want to also make a comment. I think there is
22 a lot of time commitment that President Fortuna
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
2 pension systems can do and how we can benefit
3 overall for our members. It is a lot of time
4 commitment that he puts in and I just want to say
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
8 mentioned I think that he does a fantastic job. I
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
12 board, especially at this time, is much needed. 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.

19 CHAIRMAN FORTUNA: Okay. Do you want to
20 make a motion? Make a motion for somebody.

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

1 --

2 MS. BURNS: Wait. President Fortuna,
3 please, this is a legal issue now.

4 Trustee Valencia you have spoken.
5 Trustee Conyears-Ervin you have spoken. Trustee
6 Holt you have spoken. Trustee Soni you have
7 spoken. Trustee McPhillips you have 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. The
14 answer to your question was no other trustee who is
15 sitting 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
24 to call this for a vote.

1 If the vote fails, then, Trustee
2 McPhillips, you are more than welcome to make
3 another motion.

4 MEMBER MCPHILLIPS: Well, I can't make a
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.

19 CHAIRMAN FORTUNA: Thank you.

20 There is a motion by Trustee Holt
21 seconded by Trustee Valencia.

22 Trustee Valencia.

23 MEMBER VALENCIA: Yes.

24 CHAIRMAN FORTUNA: Trustee 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 Murphy.

8 MEMBER MURPHY: Yes.

9 CHAIRMAN FORTUNA: Trustee Tebbens.

10 MEMBER TEBBENS: Yes.

11 CHAIRMAN FORTUNA: Trustee McPhillips.

12 MEMBER MCPHILLIPS: No.

13 CHAIRMAN FORTUNA: Motion carries.

14 MEMBER NANCE-HOLT: I have a second
15 motion to make, is this appropriate right now?

16 CHAIRMAN FORTUNA: Yes, it is.

17 MEMBER NANCE-HOLT: I would also like to
18 make a motion to elect Anna Valencia as the
19 Vice-President of the Board.

20 MEMBER MCPHILLIPS: Second.

21 CHAIRMAN FORTUNA: There's a motion by
22 Trustee Holt seconded by Trustee McPhillips.

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 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?

4 MEMBER MCPHILLIPS: Onto the question,
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
8 willing to come up here full-time?

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 --

19 MEMBER CONYEARS-ERVIN: You don't have to
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. I

1 mean, let's get somebody that is willing to come up
2 here full-time.

3 TRUSTEE CONYEARS-ERVIN: I get what you
4 are saying but I still have the motion on the
5 floor. So whether Bill, Trustee Murphy, is ready
6 to answer that or not it is not dependent on my
7 motion.

8 MEMBER MCPHILLIPS: No, you are right.
9 We are discussing the motion. We are onto the
10 question.

11 TRUSTEE CONYEARS-ERVIN: Trustee Murphy,
12 my motion is not dependent upon your answer so if
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
19 we wanted to. And I think it is less about Bill
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.

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.

4 CHAIRMAN FORTUNA: How long do I have to
5 wait?

6 MEMBER MCPHILLIPS: Maybe we should
7 figure out what they do on the Police Fund over
8 here at the Fire Fund.

9 MS. BURNS: Trustee Valencia, would you
10 like to make a comment on this point?

11 MEMBER VALENCIA: I am ready for the
12 vote. I was going to say the same about it as
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. I
18 seconded the fact that -- he said we need new blood
19 so I think the nomination for this person to be the
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

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.
4 I am.

5 MEMBER MCPHILLIPS: Okay.

6 MS. BURNS: Trustee McPhillips, I think
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
19 Trustee Tebbens would like to say something on this
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 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.

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

1 Conclusions of Law in the Ricardo Gomez matter,
2 which you heard last month.

3 We have received a request from Mr.
4 Gomez's lawyer. He did not have a lawyer at the
5 hearing but subsequent to the hearing and
6 subsequent to your vote he retained an attorney.
7 That attorney is Mr. Marconi who you know from
8 other matters before this Board.

9 Mr. Marconi has asked us to present to
10 you his request that you defer voting on this
11 matter until such time as Mr. Marconi has been able
12 to review the transcript, consider the facts and
13 perhaps come back to you with some motions.

14 If you remember, and, Vince, please jump
15 in if I am wrong on these facts, but you voted four
16 to two to grant this benefit. Is that correct,
17 Vince?

18 MR. PINELLI: Four to two to grant but it
19 didn't pass because it wasn't the quorum of five,
20 that's correct.

21 MS. BURNS: We could talk about this in
22 more detail in closed session, but we're trying to
23 move this meeting along in respect of your time so
24 maybe today all you need to consider is whether or

1 not you would be willing to grant the request of a
2 member, through his attorney, to defer this to the
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
6 you to receive, which is going to be we think a
7 motion to ask you to take a new vote on this.

8 CHAIRMAN FORTUNA: Do I just need a
9 recommendation or do I need to make a motion?

10 MS. BURNS: It is our recommendation,
11 Vince and I spoke about it, that given the close
12 vote that you defer this again as a courtesy to our
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.

19 MS. BURNS: It would be a motion to defer
20 the matter of Ricardo Gomez at the request of Mr.
21 Gomez and his attorney.

22 MEMBER MURPHY: I make the motion.

23 MEMBER MCPHILLIPS: Can I ask you a quick
24 question?

1 MS. BURNS: Yes, sir.

2 MEMBER MCPHILLIPS: If we end up voting
3 again, without going into the logistics of why that
4 is allowed, how would that affect the new trustee?

5 MS. BURNS: That is a question I have,
6 Trustee McPhillips. I am concerned about that. It
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
19 closed session. Today is just a request to defer.

20 MEMBER MCPHILLIPS: Okay, yes, let's move
21 on. Thank you for clarification.

22 CHAIRMAN FORTUNA: We have a motion to
23 defer by Trustee Murphy.

24 MEMBER NANCE-HOLT: Second by Trustee

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

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
4 or not. If he is, could you identify yourself? He
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
12 I'd like to at least begin.

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
19 proceed with this hearing on your application.

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
24 those Board Exhibits?

1 MR. BUCZKO: Yes, I did.

2 MR. PINELLI: Okay. You had a chance to
3 review them I take it?

4 MR. BUCZKO: Yes.

5 MR. PINELLI: And do you have any
6 objection to their admission into the record?

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
14 admitted into evidence.)

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
22 understand that?

23 MR. BUCZKO: Yes, I do.

24 MR. PINELLI: Okay. Thank you.

1 At this time, to the members of the
2 Board, this is an application pursuant to Section
3 6-140 of the Pension Code, which is death in the
4 line of duty of a member, and that provision
5 provides that the surviving spouse of a deceased
6 member who died in the performance of duty may
7 apply for death in the line of duty annuity.

8 The difference between this and a regular
9 widow's annuity is just in the calculation of the
10 amount of the annuity. It is a higher calculation.
11 75 percent of salary versus 50 percent for the
12 regular Widow's Annuity.

13 Historically, there's been case law on
14 this very provision going back a number of years.
15 The Board litigated what is called a Bertucci case,
16 which was an application by a widow under this
17 section which historically prior to the date of
18 that decision the Board would award obviously this
19 annuity to spouses of firefighters who were
20 actually killed or died at the scene of a fire or
21 responding to a fire and so forth or shortly
22 thereafter as a result of injuries that they
23 sustained during the response to the fire.

24 However, Ms. Bertucci challenged the

1 Board's denial of an annuity to her, based upon a
2 fact that her husband who had gone off on a Duty
3 Disability for a particular injury and remained on
4 disability but then he died from a cause that was
5 distinct, separate, completely different than the
6 disability injury that had caused him to go out.

7 So she claimed that under the clause of
8 that provision that says that if the firefighter is
9 prevented from subsequently resuming active service
10 as a result of that initial disability and then
11 dies, even though it is from a cause completely
12 different than his disability, that she would be
13 entitled to that benefit because he was never able
14 to return to active duty as a result of that
15 disability.

16 The Appellate Court reversed the Board
17 and affirmed that in a decision, the Bertucci
18 decision, and basically interpreted that provision
19 to indicate that if any firefighter goes on
20 disability and is never able to return to active
21 duty and then dies from any cause, regardless of if
22 it is related to the disability cause, that the
23 surviving spouse is entitled to the death in the
24 line of duty benefit.

1 So since that time the Board has followed
2 that decision. The legislature has not in any way
3 amended the statute or changed it in any way as a
4 result of the Bertucci decision.

5 By way of background, that is the
6 background. The documents that have been submitted
7 clearly establish that, first of all, Mr. Buczko
8 was married to Ms. McCormick, Denise McCormick.
9 That she went on duty disability as a result of a
10 shoulder injury a number of years ago and was
11 granted by this Board in 2007 I believe. And that
12 she remained off-duty, she remained disabled,
13 during that period of time. She was reexamined
14 consistent with the Fund's policy by our doctors
15 and provided evidence to indicate that she remained
16 disabled up and through the date that she recently
17 passed away on October 11th of 2020. So she was
18 never able to return to active duty as a result of
19 that shoulder injury. She was reexamined actually
20 just recently by the Board's physician consultant.
21 His records are in the board exhibits and he found
22 her to be still disabled as of the date of her most
23 recent reexamination.

24 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
4 annuity under Section 6-140.

5 MEMBER MURPHY: Mr. President, I would
6 like to make a motion to grant the benefit
7 requested by Mr. Buczko.

8 MEMBER NANCE-HOLT: Second by Trustee
9 Holt.

10 CHAIRMAN FORTUNA: There is a motion to
11 grant by Trustee Murphy seconded by Trustee Holt.
12 Trustee Valencia.

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
19 vote, unless you had a conflict of interest or if
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
4 need the yes vote of at least five of those eight
5 trustees in order to receive this benefit. Do you
6 understand that, sir?

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?

12 MR. HICKEY: Yes, if -- is it possible to
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.

19 MR. HICKEY: Yes, I'd like to go forward.

20 MR. PINELLI: Lastly, it is the
21 applicant's burden of proof to present sufficient
22 evidence to the Board in order for the Board to
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
4 oath. The board members may or may not have
5 questions of you. Then I will call the Fund's
6 doctor, who examined you or interviewed you. I
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
19 examined and testified as follows:

20 EXAMINATION

21 BY MR. PINELLI:

22 Q Mr. Hickey, first then would you please
23 state your name for the record?

24 A Robert Patrick Hickey.

1 Q What is your current rank with the Fire
2 Department?

3 A Paramedic in Charge.

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

6 A I was south side relief.

7 Q Directing your attention to the exhibits,
8 you should have been provided a copy of what has
9 been marked as Board Exhibits 1 through 13 prior to
10 today's date. Did you receive a copy?

11 A By email, yes.

12 Q Okay. Did you have a chance to review
13 them all?

14 A 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 A 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
3 were admitted into evidence.)

4 BY MR. PINELLI:

5 Q Now, Mr. Hickey, you are applying for
6 this disability benefit based upon an injury or
7 injuries you sustained on December 1st of 2019. Is
8 that correct, sir?

9 A That's correct.

10 Q Now understanding the Board has your
11 written statement that you did provide and is one
12 of the Board Exhibits, 1-B, could you just briefly
13 summarize for the Board where you were and what
14 happened to you that caused you the injuries?

15 A I was carrying an elderly female down the
16 stairs with a stair chair and I wanted to stop and
17 re-grip. The person who was on the bottom of the
18 stair chair said that he was on the stairs and he
19 was not able to stop. We proceeded down the
20 stairs. I felt a tear in my right shoulder. We
21 made it down the stairs without dropping the
22 patient and I had pain in my lower back and my
23 right shoulder.

24 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.

4 Q Is it accurate that there was just one
5 other firefighter assisting you carrying the chair
6 down the stairs; is that correct?

7 A Well, yeah, there was a top and the
8 bottom of the chair. Only two people could
9 actually carry the chair.

10 Q You were at the top and the other was at
11 the bottom, correct?

12 A That's correct.

13 Q 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 A My right shoulder. I had rotator cuff
17 surgery done to the right shoulder.

18 Q The records indicate that was in 2018; is
19 that correct?

20 A That's correct.

21 Q What was the cause of that injury to your
22 rotator cuff?

23 A Well, I believe it was the amount of
24 times you have to carry that QRP, toss that QRP

1 over your shoulder. It is a 50-pound bag. I would
2 toss it over my shoulder close to, you know, 50
3 times a shift. You know, when you run 20 calls,
4 you have to pick that bag up and set it down and
5 pick it up and set it down. But it was not
6 indicated that at a specific time so it was
7 considered non-duty related.

8 Q Okay. Is it your testimony that you
9 didn't injure it doing something else like playing
10 sports or lifting weights or anything like that?

11 A It is my testimony that I did not injure
12 it that way.

13 Q Subsequently were you able to
14 rehabilitate it sufficient to return to work after
15 that surgery in 2018?

16 A Yes, I was able to rehabilitate. The PT
17 record is in the material that you have down quite
18 a ways but I did return to work in October of 2019.

19 Q Okay. Now, let's return to this
20 incident, which occurred in December, so several
21 months later, you had this incident and you
22 underwent some conservative treatment, in other
23 words non-surgical treatment, to attempt to
24 rehabilitate the shoulder, correct?

1 A Yes. That was done -- rehabilitate the
2 shoulder was done after the conservative attempts
3 to alleviate the pain in the back. But, yes, I did
4 have PT.

5 Q Did you also have steroid injections?

6 A That was after the PT that was not
7 effective, I did have a steroid injection. The
8 relief lasted approximately a week or maybe less
9 but I did have some relief.

10 Q Can you describe for the board members
11 today as you are here what if any pain or
12 limitations you have with respect to your right
13 shoulder and/or your back?

14 A Well, I have pain and movement of the
15 right shoulder. I am not able to put things away
16 in the cabinets, you know, such as groceries and
17 stuff, you know, over my head. If I put like the
18 plates in the cabinet, I have to put like maybe two
19 at a time. I am not able to carry any weight to
20 put it up. Doing that, you know, such as like, you
21 know, vacuuming the house, I wind up with pain in
22 the shoulder following that.

23 Q Okay. Now, since you went on layup have
24 you engaged in any activity by which you earn

1 income?

2 A No, I have not.

3 Q Have you engaged in any sporting
4 activities?

5 A Well, I am unable to row my boat, which I
6 built a siding wood rowboat. I am unable to use
7 that. I am able to ride a bicycle which is about
8 the only activity other than walking that I can do
9 to continue a healthy lifestyle.

10 Q Okay. Are you taking any medications
11 prescribed by a physician for pain management?

12 A Pain management, I am only taking
13 Ibuprofen at this time.

14 Q Do you have any appointments scheduled
15 with any physicians with respect to your treatment
16 of your right shoulder?

17 A Not at this time.

18 Q There seemed to be an indication in the
19 record that with respect to your low back there was
20 a recommendation for you to undergo some Work
21 Hardening?

22 A That was precluded because of the
23 shoulder restriction.

24 Q In other words, you could not undergo the

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 A 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?

10 Go ahead, Vince.

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 Q Please, state your name.

19 A Michael I. Peters.

20 Q You are a physician; is that correct?

21 A Yes.

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

24 A Yes, I do.

1 Q In that capacity do you review medical
2 records, examine or interview applicants and report
3 to the Board?

4 A Yes.

5 Q Did you file a written report with the
6 Board that is marked as Board Exhibit 2?

7 A Yes, I did.

8 Q Doctor, could you briefly summarize -- or
9 strike that. Did you have the chance to interview
10 the applicant?

11 A Yes, by telephone.

12 Q And was the information he provided to
13 you consistent with the medical records that you
14 examined before you interviewed him?

15 A Yes, it was.

16 Q Can you briefly summarize for the benefit
17 of the Board what his current condition is?

18 A Yes. As Paramedic in Charge Hickey
19 described, he still has limitation in his range of
20 motion and strength of his right upper extremity at
21 the shoulder because of the labral tear and
22 bicipital tendinosis. He also has ongoing
23 radicular low back pain going down the right knee
24 and hip and thigh which intermittently causes

1 numbness.

2 He reported to me that he can't kneel
3 down and stand up quickly because of that low back
4 discomfort and that his strength for overhead
5 reaching is limited.

6 Q Based on those symptoms and limitations,
7 do you believe he would be able to perform his
8 assigned duties with the Fire Department?

9 A 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.

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: I'd like to make a motion

16 for reexam consistent with the Board's policy.

17 MEMBER CONYEARS-ERVIN: Second.

18 CHAIRMAN FORTUNA: Motion for reexam by

19 Trustee Murphy seconded by Trustee

20 Conyears-Ervin.

21 Trustee Valencia.

22 MEMBER VALENCIA: Yes.

23 CHAIRMAN FORTUNA: Trustee Annette Holt.

24 MEMBER NANCE-HOLT: Yes.

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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.

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 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 Orah.
24 MR. PINELLI: Let the record reflect this

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
4 the line?

5 MS. ORAHA: Good morning. Yes, I am.
6 That's correct.

7 MR. PINELLI: Okay. Thank you. Now,
8 before we start evidence I'd like to advise you of
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. Is
18 it your desire to proceed without an attorney
19 today.

20 MS. ORAHA: Yes.

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
24 grant the benefit that the applicant is seeking.

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
6 questions of you. Then I will call Dr. Samo, the
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
14 have you raise your right hand, along with Dr.
15 Samo?

16 (Witnesses sworn.)

17 MARLINE ORAHA

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

20 EXAMINATION

21 BY MR. PINELLI:

22 Q Would you please state your name and
23 spell your last name for the record?

24 A Sure. My name is Marline Orahaha,

1 O-r-a-h-a.

2 Q What is your current rank with the Fire
3 Department?

4 A Fire Paramedic.

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

7 A Ambulance 51.

8 Q Directing your attention to the Board
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?

12 A I did.

13 Q Did you have the opportunity to review
14 them?

15 A Yes.

16 Q Do you have any objection to their
17 admission into the record in support of your
18 application?

19 A No.

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 CHAIRMAN FORTUNA: Exhibits are admitted

1 without objection.

2 MR. PINELLI: Thank you, sir.

3 (Board Exhibits 1 through 13
4 were admitted into evidence.)

5 BY MR. PINELLI:

6 Q Now, Ms. Oraha, you are applying for this
7 disability benefit based upon an injury or injuries
8 you sustained on November 24th of 2019; is that
9 correct?

10 A That's correct.

11 Q Understanding the Board has had the
12 opportunity to review your affidavit, which is
13 marked as Board Exhibit 1B, could you just briefly
14 describe for us today where you were and what
15 happened to you to cause you the injury?

16 A Sure. Yes. On November 24, 2019, I was
17 an on-duty fire paramedic on Ambulance 51. While
18 driving the patient to the hospital, the ambulance
19 was struck by a vehicle on the passenger side. My
20 head hit the window and I had right shoulder and
21 low back pain. I was transported and received
22 treatment at Little Company of Mary. They then
23 sent me to an orthopedic surgeon that did a MRI and
24 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. At
4 this time I cannot lift, push or pull. I can't
5 move above shoulder height when reaching forward or
6 sideways. For me doing basic things, putting on a
7 coat, combing hair, is challenging. I have been
8 attending PT, getting steroid injections,
9 anti-inflammatories and pain meds.

10 Q Thank you. Had you ever injured that
11 right shoulder prior to this incident?

12 A No.

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

15 A No.

16 Q Have you engaged in any sporting activity
17 of any kind?

18 A No.

19 Q Do you take any medications prescribed by
20 a physician for pain management?

21 A Yes, Tramadol.

22 Q Do you currently have any appointments
23 scheduled with your treating doctor for your right
24 shoulder?

1 Q You are a physician; is that correct?

2 A Yes.

3 Q Is a copy of your qualifications as a
4 physician attached to the Board Exhibits?

5 A Yes.

6 Q Do you perform a function as a consultant
7 to this fund?

8 A Yes.

9 Q In that capacity, do you review medical
10 records, examine or interview applicants and report
11 to the Board?

12 A Yes.

13 Q Did you file a written report with
14 respect to this applicant that is marked as Board
15 Exhibit Number 2?

16 A Yes.

17 Q Dr. Samo, could you just briefly
18 summarize what the state of her current condition?

19 A Currently, as she stated, she has what is
20 called adhesive capsulitis, frozen shoulder, that
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
24 other treatments and therefore additional surgery

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
4 shoulder through the range of motion to tear those
5 adhesions apart, but that's not done until the
6 conservative treatments fail. Since her
7 conservative treatment is making her better, she is
8 proceeding in that direction.

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 Q Would those limitations prevent her from
13 performing her full assigned duties with the Fire
14 Department?

15 A Yes.

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

18 CHAIRMAN FORTUNA: Trustees any questions
19 for the doctor?

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

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.

4 MEMBER MURPHY: Moving on to Paramedic
5 Gabriel Palominos.

6 MR. PINELLI: Let the record reflect this
7 is a hearing on the application of Paramedic
8 Gabriel Palominos for a Line of Duty Disability.

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?

17 (No response.)

18 MS. BURNS: Mr. Palominos, can you
19 contact your lawyer?

20 MR. PINELLI: Somebody just texted me and
21 said "I am trying to unmute".

22 MS. BURNS: We can jump to approval of
23 Board Physician Review.

24 CHAIRMAN FORTUNA: That would be Item 5,

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.

4 MEMBER MURPHY: Moving to the Executive
5 Director's Report. Steve, could you please give us
6 your report?

7 MR. SWANSON: Sure. A couple of items
8 that we have in board pack under the Executive
9 Director.

10 The first one is our annual report that
11 we have to submit to the Governor. It is required
12 by the Pension Code. It is due at the end of the
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. It
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
19 of diverse investment managers.

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?

4 MR. SWANSON: One was our lack of Black
5 and Brown investment staff, Fund investment staff.
6 I did inform the Senator that we only have one
7 member of our Fund that is considered investment
8 staff and that is Lorna, which explains probably
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
19 that.

20 MEMBER MCPHILLIPS: Was this the same
21 Senator?

22 MR. SWANSON: Yes, just one Senator asked
23 the questions. It was the co-chair Senator Harris.

24 MEMBER MCPHILLIPS: Did you push back

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
4 presentation. If you look at the one pager, that
5 is that we start with. We are 18 percent funded.
6 We have a 5 billion dollar liability. We suffered
7 a negative cash flow for a number of years. Even
8 most recent year you are selling off 50 to 60
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
12 covered that right from the very beginning.

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. I
18 appreciate it.

19 MR. SWANSON: Also, I have the
20 preliminary Budget in board pack. I also sent
21 along some preliminary salary information to the
22 Trustees separately in an email.

23 The preliminary budget right now we are
24 looking at a 4 percent projected decrease compared

1 to the 2020 Budget that was approved by the Board.

2 Jackie and I will be available to meet
3 with the Trustees ahead of the January meeting to
4 answer any questions, go through it in detail. So
5 I will be reaching out to the Trustees after this
6 meeting to see when we can get something scheduled.

7 Also, the next item I have is the new
8 auditor that was hired. We have been able to
9 complete the contract at least on our end. It is
10 with the auditor and we're just waiting for their
11 approval. We're expecting it shortly. They have
12 been very easy to work with so far.

13 Also, I did just have one comment to the
14 Trustees, who I sent out at the Fund President's
15 request, if anyone is having difficulty attending
16 the January 20th meeting, Wednesday, January 20th,
17 which also coincides with the Presidential
18 inauguration, please let me know because if we need
19 to reschedule that meeting the President would like
20 to get moving on that sooner as opposed to later.

21 MS. BURNS: Is Mr. Marconi available now?

22 MR. MARCONI: Can you hear me?

23 MEMBER CONYEARS-ERVIN: I was going to
24 say, certainly, for an inauguration on January

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
4 formal announcement has been made but if I was a
5 betting person I would say that it is probably
6 going to be virtual. I think they probably already
7 announced that, but nevertheless I do not believe
8 that this will interfere and I do appreciate you
9 proposing that.

10 CHAIRMAN FORTUNA: Thank you.

11 MEMBER TEBBENS: Pertaining to that
12 meeting, Mr. President, I am at the firehouse on my
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
19 will finish up the hearing.

20 MR. PINELLI: We now have Mr. Palominos
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.

1 MR. PINELLI: Before we start, counsel,
2 did you receive a copy of Board Exhibits 1 through
3 13?

4 MR. MARCONI: Yes, I did.

5 MR. PINELLI: Do you have any objection
6 to their admission into the record?

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.)

16 MR. PINELLI: Then we are ready to
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,

1 Q And that stemmed from an accident that
2 happened November 18, 2018, correct?

3 A Yes.

4 Q If you could just tell the Board exactly
5 what happened on November 18th which lead you to
6 seek medical treatment.

7 A So, on November 18th, we were called to
8 the home of a patient. He needed to go to the
9 emergency room. We got the patient onto the
10 stretcher. Lifting the patient into the ambulance,
11 I felt a pop in the upper back area of my shoulder.
12 I didn't have any immediate pain with that. Once
13 we got to the hospital, we were transporting the
14 patient to, we did have some assistance lifting him
15 out of the ambulance, but then in the hospital
16 transferring him over to the gurney the patient
17 began to kind of roll off to the side before I was
18 able to get the bar up on the gurney. Put my arms
19 out to hold him up and that is when I felt the
20 tear. It was a very intense pain that was
21 immediate once I put my hands on the patient's
22 back.

23 Q Let me ask you to references in the
24 documents according to the (audio distortion) I

1 think anywhere between 500 and 550?

2 A Yeah, I believe my partner documented it
3 as about 500 pounds. He was definitely a very
4 large. He was definitely about 450 pounds.

5 Q That wasn't a typo?

6 A I'm sorry?

7 Q That is not a typographical error, that
8 person did weigh 450?

9 A Yes. 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?

19 MR. PINELLI: A little bit.

20 BY MR. MARCONI:

21 Q I just don't want to lose you.

22 So, Mr. Palominos, after you felt the
23 pain and suffered what you thought was an injury,
24 what did you do next for treatment?

1 A So the next thing that happened was I
2 alerted my partner to the pain I was having. We
3 alerted our Field Chief and I was transported over
4 to University of Chicago where I was seen in the
5 emergency room. They did x-rays and recommended
6 that I follow up with my primary.

7 I alerted the Fire Department Medical to
8 the fact that I was injured. They recommended also
9 that I followup with my personal care physician
10 which I did. She ordered a MRI and made
11 recommendations to see ortho.

12 Upon my first visit with Medical, CFD
13 Medical, they made an appointment for me to see Dr.
14 Nicholas Garvis with Loyola and he took over my
15 care.

16 He ordered a followup with the MRI that
17 Dr. Shaughnessy ordered which I got in December.
18 And then in February they proceeded with the
19 arthroscopic surgery and the rotator cuff repair.

20 I did have some physical therapy before
21 the MRI and then started PT for the shoulder
22 surgery about three or four weeks after the
23 surgery.

24 Q You had that surgery February 3, 2020; is

1 that correct?

2 A Correct.

3 Q You had therapy after the surgery to get
4 you back to work?

5 A I did have surgery after surgery, yes. I
6 mean therapy after the surgery, yes.

7 Q Was that therapy successful in that you
8 were able to return to work for any period?

9 A I never got to a point where the doctor
10 was comfortable to return me to work. I did have
11 periods where the physical therapy seemed very
12 successful and then I would have these flare-ups
13 that left me unable to participate in anything
14 other than passive motion therapy.

15 The doctor, Dr. Garvis, did administer a
16 cortisone injection with very limited success. It
17 was only helpful for about a week, maybe two weeks,
18 and then we also did a steroid pack in I believe at
19 the end of July.

20 We did attempt to do work conditioning at
21 the beginning of August, but it was the same thing
22 that happened. We were able to do it for about --
23 I was able to get through about five sessions
24 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.

4 Q Are you currently treating with Dr. Best?

5 A Currently I am with Dr. Best. I have not
6 seen Dr. Garvis in about four months or so.

7 Q Is that basically for pain management at
8 this point?

9 A At this point, yeah. Dr. Best ordered a
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 A That is the hope that the cervical
19 epidural will get me to a point where we can
20 continue rehabbing the shoulder.

21 MR. MARCONI: I don't have anything else.

22 MR. PINELLI: Trustees, any questions?

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

1 reviewed?

2 A Yes.

3 Q Can you briefly describe for us what the
4 records indicate as to his current condition?

5 A Currently he continues to have symptoms
6 probably both from his shoulder and his neck. It
7 is not unusual to have some difficulties sometimes
8 figuring out whether pain comes from the neck or
9 the shoulder or sometimes it can be both.
10 Sometimes it seems like it is a neck problem and it
11 is really shoulder and visa versa or sometimes
12 both.

13 I think that is where he is right now.
14 So he continues to have some pain in the neck with
15 radiation into his arm and also pain and loss of
16 range of motion and strength due to his shoulder
17 problems.

18 Q He's relatively -- well, not relatively,
19 he's a young man. 38 years old I believe.

20 A Yes.

21 Q So given that, would you expect that he
22 stands a reasonable chance of rehabilitating the
23 shoulder to the point that he might be able to
24 return to work?

1 A Yes.

2 Q But in his current condition he would not
3 be able to perform full unrestricted duties; is
4 that correct?

5 A That is correct.

6 MR. PINELLI: Thank you. That is all the
7 questions I have.

8 Counsel, do you have any questions?

9 CHAIRMAN FORTUNA: Any questions for the
10 doctor?

11 MR. MARCONI: I have no questions for the
12 doctor.

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 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
4 like to move on to Item 6 and turn it over Lorna to
5 walk us through the Investment agenda.

6 MS. SCOTT: The first item is the
7 Investment Report. Let's start right away with
8 performance and Marc can go to the next slide.

9 This slide shows performance month-
10 to-date for November. November was a great month.
11 The slide shows performance for a variety of asset
12 classes that the Fund is invested in. Note that
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,
19 this has hurt us all year long, it is nice to see
20 this reversal in November.

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
24 positive. The strong November performance wasn't

1 enough to eliminate the investment being pretty
2 much dominated all year long and that is that
3 strong outperformance of U.S. growth which is up
4 31.8 percent versus U.S. value which is still down
5 and down 1.2 percent.

6 You will also note on the right side of
7 the chart, Commodities and REITS remain in negative
8 territory for the year-to-date. We do have
9 allocations to Commodities and REITS but our active
10 managers are going to help us a little bit there.

11 Let's move onto the Fund performance on
12 the next slide. For the year, for November the
13 Fund is up 9.1 percent. Let me just pause here.
14 It is up 9.1 percent ahead of the benchmark. This
15 again was a very, very strong month and that strong
16 month performance was enough to pull the
17 year-to-date return into positive territory. So
18 year-to-date the Fund is up 7.1 percent.

19 I would love to stop the investment
20 report right here and just end with that, but we
21 have a few other items to cover.

22 Again, just to relish this, we went from
23 being negative year-to-date now being positive in
24 one month is just feeling really, really good.

1 We are underperforming our benchmark
2 which was up 8.8 percent. The next slide kind of
3 delves into why. Here we try to explain how we are
4 under or over performing the benchmark.

5 The thing is we will perform differently
6 than the benchmark in two distinct ways. One
7 through asset allocation, that is having different
8 weights than the benchmark, being off that policy
9 target will cause performance differences. The
10 second way is the use of active management and that
11 includes style bias, that small cap bias.

12 So for the month the Fund outperformed
13 the benchmark and this outperformance was primarily
14 due to manager selection and that is more
15 specifically is picking mid-cap value or mid-cap
16 gross stock did really well for the month.

17 Under performance year-to-date, though,
18 is coming equally from asset allocation. Again
19 being off target and from managers style
20 performance.

21 The next slide goes into more detail. So
22 year-to-date the Fund is up 7.1 percent. We can
23 see that in column three, versus the benchmark,
24 which is in column four.

1 Let's actually focus on the last three
2 columns. These columns show what is contributing
3 to that Fund performance versus the benchmark.

4 First, the allocation. This is having
5 different weights than the benchmark. Most of that
6 you will notice is due to our allocation in cash.
7 And you will note that the Fund had an allocation
8 of weight to cash whereas the policy benchmark does
9 not.

10 Holding cash in a strong market against
11 the benchmark that doesn't have any cash this
12 causes underperformance. This is a cash drag
13 having uninvested cash in a strong market.

14 Looking at selection, the biggest
15 director to performance was the benchmark is coming
16 from that liquid diversifying asset class. Most of
17 that underperformance is due to BlackRock's
18 portfolio, which is down 30 percent for the year.

19 If you look at the contributions for the
20 other classes, strong November performance went a
21 long way in closing the performance gap with the
22 benchmark. That rebound in value and small cap
23 helped in equities. In fixed income, the Loomis
24 and Western portfolios are now both outperforming

1 their benchmark year-to-date.

2 Again, it was very nice to see that
3 recovering in November. It is nice that we didn't
4 have to sell assets throughout the year, that these
5 accounts were able to rebound and recover.

6 I am really looking forward to being in a
7 position where we are going to be cash flow
8 positive and we won't have to sell, particularly
9 when there is a lot of volatility in the market.

10 So the next slide is our allocation to
11 diverse managers. This slide shows our current
12 allocation.

13 You will note with the reduction of
14 Globeflex, the international small cap portfolio,
15 we were under target in our emerging MWDBE
16 allocation. This is something Brady and I are
17 looking at. Given that we really don't have
18 distributions to invest and we're cash flow
19 negative, this goal is going to be difficult to
20 achieve, unless we have a reason to change any
21 existing managers.

22 Otherwise, looking at the next section,
23 our total MWDBE allocation, we have a goal of 24
24 percent. We have 18.7 percent allocated. So we

1 are achieving our goal within our total MWDBE
2 allocation.

3 The next couple of slides provide
4 additional data for your reference. I am going to
5 leave those for your review.

6 Let's move onto the next item on the
7 agenda, the MWDBE broker utilization. So this
8 first slide is our equity commissions. We have a
9 goal of 22 percent and then year-to-date through
10 September 30th equity managers spent 326,000 in
11 commissions and 97,000 or 29.7 percent with MWDBE
12 brokers. In total we are on track to meet our 22
13 percent.

14 You will notice some managers that are
15 lagging. The one that bothers me the most is the
16 Mellon U.S. large cap equity. I have had several
17 conversations with this firm emphasizing the goal
18 and it's importance to the Board and they say they
19 are continuing to work for meeting our goal. Right
20 now they are about \$3600 short to get to our 22
21 percent allocation goal.

22 Now they do understand our frustration
23 and as a gesture of goodwill and acknowledgment of
24 our longstanding partnership, which we have

1 invested with them since 1998, they have actually
2 offered to rebate us \$15,000 in our next fee
3 invoice. This is a generous, generous offer.

4 They know they still have to meet our
5 utilization goals. They know they will continue to
6 try and they will continue to build relationships
7 with brokers to do that, but they did want the
8 Board to know they really value our partnership.

9 MEMBER CONYEARS-ERVIN: Lorna, I wanted
10 to say -- and thank you so much to you and Callan
11 for what you all are doing just to make certain
12 that we are intentional about these MWDBE goals. I
13 appreciate your conversation with Mellon. I also
14 appreciate Mellon acknowledging and wanting to
15 discuss a rebate and offering the rebate. Of
16 course, we accept, right.

17 I also want to be careful in that they
18 understand as you mentioned that that does not
19 offset what our expectation is.

20 So I appreciate the conversations but
21 when I look at the total commission being the most,
22 the largest, for the large cap, I would like to
23 make a motion for the Board to just send a formal
24 letter.

1 I appreciate the conversations that you
2 are having, but I would like to send a formal
3 letter to Mellon stressing to them what our concern
4 is and what our expectations are.

5 CHAIRMAN FORTUNA: Do you want to read
6 that motion?

7 MS. BURNS: The Treasurer just made it,
8 sir. I just suggest you get a second. Motion by
9 the Treasurer to send a letter.

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
19 around for review, if the Trustees would like that,
20 it is absolutely okay.

21 MEMBER MCPHILLIPS: That would be great.
22 I am all for sending a letter but I don't want it
23 open-ended where I don't know what the letter says
24 until we see it.

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.

4 MS. SCOTT: The next page is our fixed
5 income trading. So here we have a goal of 12
6 percent of par to be traded with MWDBE brokers.
7 Year-to-date through September 30th 17 percent has
8 been traded with MWDBE. We are on track to meet
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
15 memorandum from Callan and it is our recommendation
16 that the Board terminate BlackRock's Style
17 Advantage Strategy.

18 There are really three drivers of concern
19 when we think about this portfolio. First and
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

1 going down and then also when equity markets, risky
2 assets, the global economy, recovered after the
3 first quarter.

4 Exacerbating underperformance is the
5 second issue that concerns us, which is changes in
6 the portfolio management team assigned to this
7 account.

8 So as detailed on the next page of the
9 letter, the CIO assigned to this strategy, one of
10 the named portfolio managers, Ked Hogan. I believe
11 he was the one that presented to the board about a
12 year ago.

13 He is being moved to take more of a
14 research focus strategy or research focused role
15 within BlackRock.

16 And then, lastly, we have seen the assets
17 that are undermanagement in this strategy decrease
18 as performance has struggled. That really causes
19 us concern about the amount of resources and
20 support BlackRock will give this strategy within a
21 big organization.

22 Those three strategies; performance, team
23 and then assets undermanagement, really are leading
24 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.

4 CHAIRMAN FORTUNA: And I am a yes.

5 Motion carries.

6 MS. SCOTT: On to the next item is our
7 cash needs. I will turn this over to Jackie.

8 MS. VLAHOS: As you can see as of
9 December 11th our current cash balance was 10.3
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
19 us to a shortage where we are going -- and Lorna
20 will talk about it a little bit later -- we are
21 going to need a drawdown because it is leaving us
22 with a shortage of negative 22 million dollars
23 166,000.

24 If we can go to the next page. The next

1 page is our cash flow for December. I know we had
2 anticipated -- we had about 7 million left to be
3 received in tax receipts. I know currently from
4 the last four meetings to the current meeting we
5 received approximately 100,000. Leaving us where I
6 think we had estimated a 19 million dollar draw.
7 Where now we're going to need a 22.4 million dollar
8 draw.

9 This is pretty common because normally we
10 have a reconciling item that we get from the City
11 to reconcile their account to see what is owed to
12 each fund. We usually receive that additional
13 money to make us whole usually about by the end of
14 January or February at some point in time.

15 One thing that helped us a little bit is
16 we did receive the retro amount. It was a little
17 over 8 million dollars from the City. I believe it
18 was in the beginning of December, which kind of
19 helped a little bit to offset the cash receipts
20 that we did not get from the employer
21 contributions.

22 I think if Lorna wants to speak about
23 where she's going to withdraw the money.

24 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.

4 MEMBER MCPHILLIPS: Okay. I'm sorry.
5 Thank you.

6 MS. SCOTT: Looking at the rebalancing
7 template, Marc. So this first column shows our
8 allocation as of December 11th. At the bottom of
9 the first column, you can see that there is cash of
10 1.5 million.

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.

19 The idea is to take 12 million from U.S.
20 equities and 58 million from international
21 equities.

22 Skip the private equity section. These
23 are lows that are coming up, upcoming capital calls
24 and distribution, which I have included here mainly

1 for cash management purposes.

2 So we are raising cash from equities. We
3 are also proposing closing the Credit Suisse
4 account. It is a very, very small allocation.
5 5 million dollars. Actually, at this point it is
6 unlikely to grow. Last year we spent a lot of time
7 filling out this real asset bucket. We added
8 TIPPS. We added core real estate. We added REITS.
9 We still have our commodities investment in PIMCO.

10 Eliminating Credit Suisse is really a
11 consolidating move at this point. We do need the
12 cash.

13 The last item in this column is the
14 reinvestment of the BlackRock funds into the
15 William Blair macro fund. I have a little bit of
16 rounding going there. I don't know how much money
17 I am going to get from the sale of BlackRock.
18 There is a little bit of cash so I will probably
19 trim off of that as well.

20 Looking at that last column, the
21 variance. This shows the difference between the
22 actual fund allocation versus the policy after the
23 cash withdrawal.

24 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
4 over allocated in U.S. equity, that is primarily in
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
8 22 million as indicated on the rebalancing
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
19 such manner as the CIO determines is prudent.

20 MEMBER MURPHY: Based on that
21 recommendation, I would like to make that motion,
22 Mr. President.

23 MEMBER NANCE-HOLT: Second.

24 CHAIRMAN FORTUNA: There is a motion by

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
2 all trustees on an individual basis to discuss that
3 proposed budget.

4 MEMBER MCPHILLIPS: I'm sorry, can you
5 repeat that, Mary Pat?

6 MS. BURNS: I think Steve indicated that
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.

16 MEMBER MCPHILLIPS: Are we going to?

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,
4 or January before the next meeting.

5 MEMBER MCPHILLIPS: I don't know if you
6 want to use the old Budget assignments from 2020
7 and then have a meeting or setup new assignments
8 for 2021.

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
19 child annuitant, who was living with his mother,
20 but the mother suffered a debilitating stroke. It
21 is a relatively young woman. Now her adult son is
22 taking care of the siblings, including our child
23 annuitant. The family's name is Rogers.

24 Lori Lund and I have worked with the

1 family and Matthew, who is 25 years old, he is
2 employed, he lives in the Chicago area, he's taking
3 care of his younger brother James who is our
4 annuitant. The child is 17. He will turn 18 in
5 February. He is enrolled in high school, doing
6 well and living with his brother.

7 At the last meeting I asked you and you
8 allowed us to keep the monthly amount of \$851
9 approximately, which is his monthly child's
10 annuity, to separate that out and no longer send it
11 to his mother who is incapable of taking care of
12 the son and instead directing it to the son
13 Matthew.

14 You asked me in the ensuing month to
15 reach out to Matthew for the details. Lori and I
16 have done that. We're waiting for receipt of the
17 paperwork, but we're very comfortable under the law
18 and under the Pension Code asking you if you would
19 approve a motion to approve the payment of the
20 child's annuity benefit for Member 714544 to
21 Matthew Rogers serving as the guardian of minor
22 Member 714544, subject to counsel receiving
23 executed paperwork, that would be my proposed legal
24 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.)

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