
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO
HELD
THURSDAY – NOVEMBER 29, 2018

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago (the Fund) was held 9:30 a.m. on November 29, 2018 at the office of the Fund, 221 N. LaSalle Street, Suite 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Deposition Solutions LLC Court Reporters and are made a part of the record.

PRESENT: Trustees Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

ABSENT: Brown, Summers 2.

PRESIDING: President Hauser

President Hauser called the meeting to order.

The first order of business brought off the floor, Trustee Beyna referenced that on November 19, 2018, Officer Samuel Jimenez was shot and killed in the line of duty while responding to an active shooter incident.

Trustee Beyna made a motion to grant Crystal Jimenez, the widow of Samuel Jimenez, a line of duty death benefit at \$12,000.00. The motion was seconded by Trustee Wodnicki.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The next order of business was review and approval of the Minutes for the Special Investment Committee meeting held November 14, 2018.

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the Minutes of November 14, 2018, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The next order of business was review and approval of the Investment Committee meeting held November 27, 2018.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Minutes of November 27, 2018, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The next order of business was review and approval of the Minutes for the Regular Board meeting held October 26, 2018.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board approve the Minutes of October 26, 2018, as submitted.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The President turned the meeting over to the Recording Secretary. Review of the agenda was as follows:

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1 - 6 Incurred Expenses for the Month of November 2018.

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the obligations as detailed on pages 1 through 6.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

7 - 8 Refunds of Contributions; Withdrawal of Service, Widow's Annuity
 Accumulations, Widow's Annuity Accumulations – *Revised*, and Exempt Rank

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the Refunds as detailed on pages 7 through 8.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

9 - 10 Payments to Heirs of Deceased Annuitants

It was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve payments to heirs of deceased annuitants as detailed on pages 9 and 10.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

11 - 12 Annuities [Summary on page 13]

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the Annuities as detailed on pages 11 and 12.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

14 Annuities - *Revised*

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve the Revised Annuities as detailed on page 14.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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15 Annuities to Widows [Summary on page 16]

It was moved by Trustee Beyna, seconded by Trustee Hauser that the Board approve the Annuities to Widows as detailed on page 15.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

17 Annuities to Children

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board defer the Annuities to Children as detailed on page 17.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

18 Ordinary Disability Benefit

 a) **Dwyer, Anna M.**

It was moved by Trustee Hamburger, seconded by Trustee Wodnicki that the Board, based on the medical reports submitted, approve an Ordinary Disability Benefit to Officer Anna M. Dwyer.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

19 Duty/Occupational Disease Disability Benefits

 b) **Czubak, Gia M.**

It was moved by Trustee Hauser, seconded by Trustee Hamburger move to grant the officer subject to a full evidentiary hearing an ordinary disability benefit without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if it is deemed warranted.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

20 - 23 Payments of Death Benefits [Summary on page 24]

It was moved by Trustee Hauser, seconded by Trustee Beyna that the Board approve payment of the death benefits as listed on pages 20 through 23.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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LEAVES

- 25 REQUESTS FOR PENSION CREDIT FOR MILITARY LEAVE OF ABSENCE
SERVICE UNDER USERRA AND 5-212

Documentation verified, it was moved by Trustee Hauser, seconded by Trustee Wodnicki that the Board approve the requests to receive pension credit for Military Leaves as detailed on page 25.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

MISCELLANEOUS

- 26 GUARDIANSHIP APPOINTMENT

Brown, Carolyn L.

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board acknowledge the guardianship appointment as detailed on page 26.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

- 27 GUARDIANSHIP APPOINTMENT

Hayes, Dennis F.

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board acknowledge the guardianship appointment as detailed on page 27.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

- 28 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR COOK COUNTY
SERVICE UNDER 5-214

Documentation verified, it was moved by Trustee Beyna, seconded by Trustee Hamburger that the Board approve the requests to receive pension credit for prior Cook County service as detailed on page 28.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 5.
Absent: Brown, Summers 2.
Against: 0.

- 29 REQUESTS TO PURCHASE PENSION CREDIT FOR PRIOR LAW
ENFORCEMENT SERVICE UNDER PORTABILITY 5-214.2

*Documentation verified, it was moved by Trustee Wodnicki, seconded by Trustee Beyna that the Board **deny Michele Blaszc**, according to the statutory imposed timelines and **approve Anthony Rosa** to receive pension credit for prior Law Enforcement service as detailed on page 29.*

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.
Against: 0.
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30 REQUESTS TO PURCHASE ADDITIONAL PENSION CREDIT FOR PRIOR
MILITARY SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board approve the requests to purchase prior military service as detailed on page 30.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

31 REQUEST FOR SPOUSAL BENEFITS

Solsberry, Jim (Silverman, Eldora M. AP-686180)

After review this member's history, it was moved by Trustee Wodnicki, seconded by Trustee Beyna that the Board deny the request of Jim Solsberry to receive a spousal benefit.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board enter into executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Fields that the Board exit the executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

HEARINGS

32 REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE

Fleming, John G.

Officer John G. Fleming failed to appear before the Board on his request to purchase pension credit for prior service.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board defer Officer Fleming's petition.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.
Absent: Brown, Summers 2.
Against: 0.

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33 REQUEST TO PURCHASE PENSION CREDIT FOR PRIOR SERVICE

Gomez, Juanita V.

Officer Juanita Gomez was not present when the Board was ready to consider her request.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board defer Officer Gomez's petition.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

34 **Engelhardt, Daniel P.**

Officer Engelhardt appeared, with counsel, on a status hearing on his disability. This review was scheduled twice previously and continued per member's request, which resulted in a suspension of his benefits effective October 1, 2018. After hearing testimony from Officer Engelhardt, Dr. Orris and Kimberly Engelhardt and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board go into executive session per 2(C)(11).*

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

Officer Engelhardt answered additional questions concerning his future plans for medical treatment. *It was moved by Trustee Wright, seconded by Trustee Hamburger that Board keep Daniel Engelhardt on disability, reinstate his suspended benefit, and obtain the results of upcoming MRI by January 15, 2019.*

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

35 **Graszer, Margaret M.**

Officer Graszer's scheduled status hearings and requests for continuances has been reviewed at previous meetings, and her disability benefits were suspended effective November 1, 2018. Officer Graszer has indicated she will be retiring January 1, 2019.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board reinstate Margaret Graszer's disability benefits effective November 1, 2018 through January 1, 2019.

ROLL CALL

For: Beyna, Hauser, Wodnicki, Wright 4.

Absent: Brown, Summers 2.

Against: Fields, Hamburger 2.

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36 **Howard, Andre L.**

Officer Andre Howard appeared before the Board, without counsel, on his disability status review. This review was previously scheduled and continued and Officer Howard's benefits were suspended effective November 1, 2018. Officer Howard is requesting another continuance.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board grant the continuance, and the suspension of benefits remains in effect.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

37 **Miranda, Roberto E.**

Attorney for Officer Roberto Miranda appeared before the Board on the status review of his disability and requested a continuance as the officer is scheduled to complete a medical evaluation in the near future.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board grant Officer Miranda a continuance to the January 2019 Board meeting.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

38 **Warner, Brian C.**

Officer Warner appeared, with counsel, on the continuation of a status hearing, which commenced on September 27, 2018. Additional documents were submitted and additional testimony was heard.

It was moved by Trustee Wright, seconded by Trustee Wodnicki that this matter be continued to the January 2019, Board meeting to obtain the full record.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board enter into executive session per 2 (c)(1).

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Beyna that the Board exit the executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board enter into executive session per 2 (c)(11).

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

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It was moved by Trustee Wright, seconded by Trustee Beyna that the Board exit the executive session.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

Recording Secretary read into the record a Resolution of the Policemen's Annuity and Benefit Fund honoring retiring President Kenneth A. Hauser, with a presentation of the resolution engraved on a plaque.

The Executive Director reviewed with the Board the following matters.

Executive Director Tuczak read into the record the letter from the Mayor, which appoints Samantha Fields as a Trustee to the Retirement Board of the Policemen's Annuity and Benefit Fund, effective immediately through November 30, 2021, to succeed Haydee Caldero. Additionally, the Mayor reappointed Carole Brown and Carol Hamburger as Trustees of the Fund with new terms effective December 1, 2018 through November 30, 2021.

Drafted meeting dates for 2019 were distributed to the Trustees for review and approval and were agreed to by the Trustees.

Executive Director requested that the Board approved a transfer of \$440,000 from the Fund's gift reserve to the Richard J. Jones Annuitants Assistance Fund to enable the production of a \$500. Gift check to the Fund's minimum widows.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the transfer.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

After completing research, Board legal counsel, Justin Kugler, review with the Board members extending the fiduciary liability insurance to cover the Board members on the RJJAA Fund.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the amendment to the Fund's fiduciary liability insurance to include the RJJAA Board members.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The Executive Director review with the Board members the 'trustee training certification', which is necessary for all trustees to complete for the Department of Insurance.

President Hauser present a \$500 check to the RJJAA, which represents the proceeds from the FOP Family Auxiliary golf outing.

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The Executive Director requested a \$600. Budget for the Fund's annual Holiday Luncheon.

It was moved by Trustee Wright, seconded by Trustee Hamburger that Board approve a \$600 budget for this year's Holiday Lunch.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The Executive Director reviewed with disability recipients, who have failed to complete IME and or FCE to obtain a current status on their disability.

- Tamica Rainey, currently receiving disability benefits has had numerous letters directed to her to have an Independent Medical Evaluation completed along with submitted medical records. As of date, she has not complied with the requests of the Board since September.

It was moved by Trustee Hamburger, seconded by Trustee Beyna that the Board suspend her benefits effective December 1, 2018.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

The Executive Director request the Fund to obtain a COSTCO membership, for purchasing office supplies at competitive prices.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve an \$120.00 membership fee for COSTCO.

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.

All business concluded for this date, November 29, 2018, *it was moved by Trustee Hamburger, seconded by Trustee Wright that this meeting be adjourned.*

ROLL CALL

For: Beyna, Fields, Hamburger, Hauser, Wodnicki, Wright 6.

Absent: Brown, Summers 2.

Against: 0.