

**Laborers' and Retirement Board Employees'  
Annuity and Benefit Fund of Chicago  
Minutes of Regular Board Meeting No. 1018**

**February 18, 2020**

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**LABORERS' AND RETIREMENT BOARD EMPLOYEES'  
ANNUITY AND BENEFIT FUND OF CHICAGO**

**February 18, 2020**

Report of Meeting No. 1018 held on February 18, 2020, starting at 12:02 p.m., at the office of the Laborers' and Retirement Board Employees' Annuity and Benefit Fund of Chicago ("Fund" or "LABF"). The following notes attendance:

Board Members:

Victor Roa	– President
James Joiner	– Vice-President
Michael LoVerde	– Secretary
James Capasso, Jr.	– Trustee
Melissa Conyears-Ervin*	– Trustee ( <i>arrived at 12:17 pm</i> )
Reshma Soni*	– Trustee ( <i>arrived at 12:05 pm</i> )
Jennie Bennett*	– Trustee ( <i>arrived at 12:08 pm</i> )
Stephen Skardon	– Trustee

Staff & Consultants:

Joseph Burns	– Jacobs, Burns, Orlove & Hernandez, Outside Counsel
Taylor Muzzy	– Jacobs, Burns, Orlove & Hernandez, Outside Counsel
Dr. Terence Sullivan*	– Fund's Physician
James Wesner*	– Marquette Associates, Investment Consultant
Kweku Obed*	– Marquette Associates, Investment Consultant
Neil Capps*	– Marquette Associates, Investment Consultant
Nicole Johnson-Barnes*	– Marquette Associates, Investment Consultant
Michael Walsh	– Executive Director and Chief Investment Officer
Peggy Grabowski	– Comptroller / Co-Executive Director
John Carroll	– Compliance Administrator
Sheila Jones	– Administrative Coordinator
Nadia Oumata*	– Director of Investments
Tina Rhoten*	– Benefits Manager

Absent:

None.

Observer(s):

Hector Dox\* – Office of the City Treasurer, City of Chicago

President Roa determined that a quorum was present after Secretary LoVerde took attendance.

\* *Denotes partial attendance during the open portion of the meeting.*



**LABORERS' AND RETIREMENT BOARD EMPLOYEES'  
ANNUITY AND BENEFIT FUND OF CHICAGO**

Board Members:

I am transmitting herewith the minutes for the meeting of the Retirement Board which was held on February 18, 2020. The minutes are comprised of the following:

- Public Participation
- Approval of Minutes of Prior Meetings
- Schedule A: Applications for Refunds
  1. Refund of Contributions Due to Separation from Service
  2. Miscellaneous Refunds
- Schedule B: Applications for Annuities
  1. Employee Annuities
  2. Spouse and Child and Reversionary Annuities
- Schedule C: Adjustment Refunds to New Annuitants
- Schedule D: Applications for Duty Disability Benefits
- Schedule E: Applications for Extension of Duty Disability Benefits
- Schedule F: Applications for Ordinary Disability Benefits
- Schedule G: Applications for Extension of Ordinary Disability Benefits
- Schedule H: Payment of Uncashed Checks of Deceased Members
- Schedule I: Payment of Administrative Expenses
- Investments Report
- Executive Session No. 1
- Executive Session No. 2
- Administrative Report
- Executive Session No. 3
- Legal Report
- Executive Session No. 4
- Legal Report (continued)
- Executive Session No. 5
- Adjournment

All the foregoing matters were checked upon receipt in the office of the Retirement Board and were found to be hereinafter set forth.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Michael R. LoVerde'.

Michael R. LoVerde  
Retirement Board Secretary

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'  
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**PUBLIC PARTICIPATION**

None.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the regular minutes of Meeting No. 1017 held on January 21, 2020 be approved as submitted.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the executive session minutes of Meeting No. 1017 held on January 21, 2020 be approved as submitted.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

**SCHEDULE A – APPLICATIONS FOR REFUNDS**

1. Refund of Contributions Due to Separation from Service

It was moved by Trustee LoVerde, seconded by Trustee Capasso, that the applications presented for Refunds of Contributions Due to Separation from Service be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against-- None.

2. Miscellaneous Refunds

It was moved by Trustee Joiner, seconded by Trustee LoVerde, that the applications presented for Miscellaneous Refunds be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against-- None.

**SCHEDULE B – APPLICATIONS FOR ANNUITIES**

1. Employee Annuities

It was moved by Trustee Joiner, seconded by Trustee LoVerde, that the applications for Employee Annuities be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

2. Spouse and Child and Reversionary Annuities

It was moved by Trustee Joiner, seconded by Trustee Capasso, that the applications for Spouse and Child and Reversionary Annuities be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

**SCHEDULE C – ADJUSTMENT REFUNDS TO NEW ANNUITANTS**

It was moved by Trustee Capasso, seconded by Trustee LoVerde, that Adjustment Refunds to New Annuitants be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'  
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**SCHEDULE D – APPLICATIONS FOR DUTY DISABILITY BENEFITS**

It was moved by Trustee Joiner, seconded by Trustee LoVerde, that the applications for Duty Disability Benefits be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

**SCHEDULE E – EXTENSION OF DUTY DISABILITY BENEFITS**

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the applications for Extension of Duty Disability Benefits be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, and Skardon.  
Against -- None.

**SCHEDULE F – APPLICATIONS FOR ORDINARY DISABILITY BENEFITS**

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the applications for Ordinary Disability Benefits be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, and Skardon.  
Against -- None.

**SCHEDULE G – EXTENSION OF ORDINARY DISABILITY BENEFITS**

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that the applications for Extension of Ordinary Disability Benefits be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, and Skardon.  
Against -- None.

**SCHEDULE H – PAYMENT OF UNCASHED CHECKS OF DECEASED MEMBERS**

It was moved by Trustee Joiner, seconded by Trustee LoVerde, that the applications for Payment of Uncashed Checks of Deceased Members be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, and Skardon.  
Against -- None.

**SCHEDULE I – PAYMENT OF ADMINISTRATIVE EXPENSES**

It was moved by Trustee LoVerde, seconded by Trustee Joiner, that Administrative Expenses be approved and ordered paid.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, and Skardon.  
Against -- None.

*Dr. Sullivan and Ms. Rhoten left the meeting.*

**LABORERS' AND RETIREMENT BOARD EMPLOYEES'  
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**INVESTMENTS REPORT**

Market Tracker Report

Mr. Wesner reviewed the Market Tracker Report.

January 31, 2020 Preliminary Performance Report

Mr. Obed reviewed the Fund's January 31, 2020 Preliminary Performance Report.

4<sup>th</sup> Quarter 2019 Performance Report

Mr. Obed reviewed the Fund's 4<sup>th</sup> Quarter 2019 Performance Report.

Watch List

Mr. Wesner reviewed managers currently on the Watch List. Mr. Wesner also noted that Marquette Associates is continuing to monitor Palladium Equity Partners, LLC. and will update the Board on any changes at this firm.

Manager of Emerging Manager RFP

This item was discussed in executive session.

**EXECUTIVE SESSION NO. 1**

At 12:34 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(7) to discuss the sale or purchase of securities, investments or investment contracts. Trustee Skardon seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

At 12:48 p.m., Trustee LoVerde made a motion, seconded by Trustee Capasso, that the executive session be adjourned and that the Board return to open session.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

The Trustees took no action.

Contract Matters

This item was discussed in executive session.

**EXECUTIVE SESSION NO. 2**

At 12:48 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(7) to discuss the sale or purchase of securities, investments or investment contracts. Trustee Joiner seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

At 1:07 p.m., Trustee LoVerde made a motion, seconded by Trustee Skardon, that the executive session be adjourned and that the Board return to open session.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

The Trustees took no action.

*Mr. Wesner, Mr. Obed, Mr. Capps and Ms. Johnson-Barnes left the meeting.*

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**ADMINISTRATIVE REPORT**

Legislative Update

Mr. Walsh reported that the letter to the leadership of the General Assembly informing them of certain ambiguities in the Illinois Pension Code will be mailed this week.

Mr. Walsh informed the Board about Senate Bill 2747 (see attached), which was recently introduced in Springfield. The Board discussed deficiencies in SB2747 and expressed its opposition to the bill as it is currently written. The Board requested that the Fund's Legislative Liaison keep the Trustees informed on the status of this bill.

Miscellaneous

Special Board Meeting – Mr. Carroll reminded the Board of the Special Meeting scheduled for Thursday, March 12, 2020 at 9:00 a.m.

Statement of Economic Interest – Mr. Carroll informed the Trustees that they should expect an email from the Cook County Ethics Department by March 20, 2020 with information for filing their annual statements.

Personnel Matter

This topic was discussed in executive session.

**EXECUTIVE SESSION NO. 3**

At 1:23 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(1) to discuss Board appointments. Trustee Joiner seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

At 1:28 p.m., Trustee LoVerde made a motion, seconded by Trustee Joiner that the executive session be adjourned and that the Board return to open session.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett and Skardon.  
Against -- None.

The Trustees took no action.

**LEGAL REPORT**

Executive Session Review

Mr. Carroll reviewed the process that LABF staff and Fund Counsel use in determining which executive session minutes are recommended to be opened up for public inspection. The Board reviewed the list of recommended executive session minutes to be made available for public inspection.

It was moved by Trustee LoVerde, seconded by Trustee Skardon, to approve the recommendations of LABF staff and Fund Counsel to make available for public inspection Items 1–88 of the memo that was reviewed with the Trustees. A copy of the memo is on file in the Fund office.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett and Skardon.  
Against -- None.

Intercept Litigation

This topic was discussed in executive session.

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**EXECUTIVE SESSION NO. 4**

At 1:37 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(11) to discuss potential or current litigation of the Fund. Trustee Skardon seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett, and Skardon.  
Against -- None.

At 2:01 p.m., Trustee LoVerde made a motion, seconded by Trustee Joiner that the executive session be adjourned and that the Board return to open session.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Conyears-Ervin, Soni, Bennett and Skardon.  
Against -- None.

The Trustees took no action.

*Trustees Conyears-Ervin left the meeting.*

**LEGAL REPORT CONTINUED**

Treadwell Litigation

This topic was not discussed.

Underwood Litigation

Mr. Walsh reported that another health care subsidy communication had been sent to eligible members at the end of January 2020.

Carmichael Litigation

This topic was discussed in executive session.

**EXECUTIVE SESSION NO. 5**

At 2:03 p.m., Trustee LoVerde requested an executive session under 5 ILCS 120/2(c)(11) to discuss potential or current litigation of the Fund. Trustee Skardon seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, Bennett and Skardon.  
Against -- None.

At 2:12 p.m., Trustee LoVerde made a motion, seconded by Trustee Joiner that the executive session be adjourned and that the Board return to open session.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, Bennett and Skardon.  
Against -- None.

The Trustees took no action.

On behalf of the Board, President Roa thanked Mr. Walsh for his service to the LABF and offered well wishes in his future endeavors.

**ADJOURNMENT**

With no further business, at 2:13 p.m., Trustee LoVerde made a motion to adjourn the meeting. Trustee Skardon seconded the motion.

Roll-call: For -- Trustees Roa, Joiner, LoVerde, Capasso, Soni, Bennett, and Skardon.  
Against -- None.



**SB2747**



**101ST GENERAL ASSEMBLY**

**State of Illinois**

**2019 and 2020**

**SB2747**

Introduced 2/4/2020, by Sen. Laura Fine

**SYNOPSIS AS INTRODUCED:**

40 ILCS 5/1-115

from Ch. 108 1/2, par. 1-115

30 ILCS 805/8.44 new

Amends the General Provisions Article of the Illinois Pension Code. Provides that in any action by a participant or beneficiary arising under the Code or Article XIII, Section 5 of the Illinois Constitution in which there is at issue the payment of benefits due to a participant or beneficiary, the court, in its discretion, may allow either party to recover reasonable attorney's fees and the costs of the action. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB101 17119 RPS 66519 b

FISCAL NOTE ACT  
MAY APPLY

PENSION IMPACT  
NOTE ACT MAY  
APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing  
5 Section 1-115 as follows:

6 (40 ILCS 5/1-115) (from Ch. 108 1/2, par. 1-115)

7 Sec. 1-115. Civil enforcement; attorney's fees.

8 (a) A civil action may be brought by the Attorney General  
9 or by a participant, beneficiary or fiduciary in order to:

10 (1) obtain ~~(a) Obtain~~ appropriate relief under Section  
11 1-114 of this Code;

12 (2) enjoin ~~(b) Enjoin~~ any act or practice which  
13 violates any provision of this Code; or

14 (3) obtain ~~(c) Obtain~~ other appropriate equitable  
15 relief to redress any such violation or to enforce any such  
16 provision.

17 Notwithstanding any other provision of the Administrative  
18 Review Law or this Code to the contrary, a civil action may be  
19 brought by the Attorney General to enjoin the payment of  
20 benefits under this Code to any person who is convicted of any  
21 felony relating to or arising out of or in connection with that  
22 person's service as an employee under this Code.

23 (b) In any action by a participant or beneficiary arising

1 under this Code or Article XIII, Section 5 of the Illinois  
2 Constitution in which there is at issue the payment of benefits  
3 due to a participant or beneficiary, the court, in its  
4 discretion, may allow either party to recover reasonable  
5 attorney's fees and the costs of the action.

6 (Source: P.A. 98-1137, eff. 6-1-15.)

7 Section 90. The State Mandates Act is amended by adding  
8 Section 8.44 as follows:

9 (30 ILCS 805/8.44 new)

10 Sec. 8.44. Exempt mandate. Notwithstanding Sections 6 and 8  
11 of this Act, no reimbursement by the State is required for the  
12 implementation of any mandate created by this amendatory Act of  
13 the 101st General Assembly.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.