

MEETING NO. **3832**
JOURNAL OF PROCEEDINGS
BOARD OF TRUSTEES OF THE GENERAL RETIREMENT SYSTEM
HELD WEDNESDAY, **FEBRUARY 3, 2010**
9:00 A.M.

RETIREMENT SYSTEMS' CONFERENCE ROOM
910 COLEMAN A. YOUNG MUNICIPAL CENTER
DETROIT, MICHIGAN 48226

PRESENT

Alvin Brooks	Trustee
David Clark	Trustee
Cedric Cook	Trustee
Susan Glaser	Trustee
Ronald Gracia	Trustee & Vice-Chairman
Saunteel Jenkins	Ex-Officio Trustee & City Council Member
Sheila Kneeshaw	Trustee & Chairperson
Walter Stampor	Executive Secretary
Myron T. Terrell	Assistant Executive Secretary
Ronald Zajac	Legal Counsel
Rita Coats	Recording Secretary (GRS)

EXCUSED

Wendell Anthony	Trustee
Cheryl R. Johnson	Ex-Officio Trustee & Treasurer

ABSENT

Richard Huddleston	Investment Analyst
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CHAIRPERSON

SHEILA KNEESHAW

Roll Call was taken at **9:25 a.m.** and Chairperson S. Kneeshaw called the meeting to order.

Re: SERVICE RETIREMENT

By Trustee Glaser – Supported by Trustee Cook

RESOLVED, that the **SERVICE RETIREMENT** applications which are outlined below be hereby APPROVED:

YEAS: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw – 5

NAYS: None

SERVICE RETIREMENTS

NAME, TITLE, DEPARTMENT	Elizabeth A. Cheslock – Librarian II - Library
SERVICE CREDIT	23-03
EFFECTIVE DATE	01-15-10

NAME, TITLE, DEPARTMENT	Barbara-Rose Collins – City Council Member – City Council
SERVICE CREDIT	08-0
EFFECTIVE DATE	01-01-10

NAME, TITLE, DEPARTMENT	Darryl C. Ivory – Asst Sewage Plant Operator Supt – Water & Sewerage
SERVICE CREDIT	32-08
EFFECTIVE DATE	12-16-09

NAME, TITLE, DEPARTMENT	Ronald E. Johnson – Plumber – General Services
SERVICE CREDIT	29-07
EFFECTIVE DATE	01-08-10

NAME, TITLE, DEPARTMENT	Marina Lee – Head Clerk – Election Commission
SERVICE CREDIT	30-07
EFFECTIVE DATE	12-22-09

SERVICE RETIREMENTS – continued

NAME, TITLE, DEPARTMENT	Paruvakateeram Mohan, Sr. – Sr Asst Traffic Engineer - DPW
SERVICE CREDIT	12-02
EFFECTIVE DATE	01-14-10

NAME, TITLE, DEPARTMENT	Elma Natt – Librarian II - Library
SERVICE CREDIT	10-11
EFFECTIVE DATE	01-12-10

NAME, TITLE, DEPARTMENT	Janet D. Robinson – Commercial Ops Specialist II – Water & Sewerage
SERVICE CREDIT	30-07
EFFECTIVE DATE	01-13-10

NAME, TITLE, DEPARTMENT	Carlton Wells – City County Administrative Assistant II – City Council
SERVICE CREDIT	08-0
EFFECTIVE DATE	01-01-10

NAME, TITLE, DEPARTMENT	Andre M. Williams – Coach Service Attendant - Transportation
SERVICE CREDIT	30-06
EFFECTIVE DATE	12-17-09

NAME, TITLE, DEPARTMENT	Angela C. Obey-Young – Third Deputy Chief – Police (Civilian)
SERVICE CREDIT	31-03
EFFECTIVE DATE	12-30-09

GENERAL RETIREMENT SYSTEM
 MEETING #3832
CONFIRMATIONS

FEBRUARY 3, 2010

By Trustee Cook – Supported by Trustee Glaser

RESOLVED, that the receipts and disbursements which are referenced below be CONFIRMED:

THE GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT				
LIST OF RECEIPTS & DISBURSEMENTS				
FOR THE PERIOD 02/01/10 THRU 02/05/10				
REMITTOR / PAYEE NAME	DATE REC'D	DESCRIPTION		AMOUNT
RECEIPTS				
Behringer Harvard REIT, Inc.	02/04/10	Distribution- 01/10	\$	28,677.25
Jennifer Dixon	02/03/10	FOIA Reimbursement		178.26
MMA Realty Capital, LLC	02/01/10	Russell 150 Extension Fee- 02/10		41,666.67
The City of Detroit	02/05/10	Annuity Contribution		246,076.10
The Hartford	02/03/10	Refund of Overpayment		647.00
The Police & Fire Retirement System	02/05/10	Reimbursement for Milestone		1,441.12
The Police & Fire Retirement System	02/05/10	Reimbursement for Staff Wages- 01/10		11,245.70
			TOTAL RECEIPTS	\$ 329,332.10
DISBURSEMENTS				
ADP, Inc.	02/05/10	Fees	\$	(84.64)
First Independence Bank	02/01/10	Pension Payroll (Checks)- 01/10		(2,762,447.53)
First Independence Bank	02/03/10	Annuity Refunds- List #6941		(2,450,521.77)
First Independence Bank	02/03/10	Checkwrite		(334,863.43)
First Independence Bank	02/05/10	Loan Program- Approved 02/03/10		(1,352,637.00)
Jefferson Union Solar Project (Churchill)	02/05/10	Draw #4 (1 of 2)		(42,072.97)
Jefferson Union Solar Project (Churchill)	02/05/10	Draw #4 (2 of 2)		(173,839.10)
JP Morgan Investment Management	02/05/10	Fees (Currencies)- 4th Quarter 2009		(200,000.00)
Neopost	02/02/10	Postage Replenishment		(5,000.00)
Programmers	02/04/10	Fees- 01/10		(93,114.13)
The City of Detroit	02/04/10	Repayment of Voided Check Reimbursement (Wire In Received 01/25/10)		(8,032.72)
			TOTAL DISBURSEMENTS	(7,425,932.22)

YEAS: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw – 5

NAYS: None

REFUNDS OF ACCUMULATED CONTRIBUTIONS
LIST NO. 6942 – AMOUNT: \$6,649,022.10

By Trustee Glaser – Supported by Trustee Cook

RESOLVED, that the contributions to the Annuity Savings Fund by members of the General Retirement System, as set forth on List No. 6942 in the amount of **\$6,649,022.10**, including interest, be REFUNDED, pending audit by the Retirement Systems' Accounting Staff as reflected.

Yeas: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw - 5

Nays: None

❖ *Trustee **Saunteel Jenkins** joined the meeting at 9:26 a.m.*

Re: Employee Loan Program

By Trustee Brooks – Supported by Trustee Glaser

RESOLVED, that the disbursements for the Employee Loan Program by members of the General Retirement System, in the amount of **\$1,352,637.00**, be hereby APPROVED.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

ASSISTANT EXECUTIVE SECRETARY'S REPORT

CAPITAL CALLS

Re: Mesirow - \$1,000,000.00

By Trustee Clark – Supported by Trustee Cook

WHEREAS, the Board has been presented with a communication dated February 2, 2010 from Mesirow wherein a Capital Call request is made in the amount of **\$1,000,000.00**, therefore be it

CAPITAL CALLS – (Continued)

RESOLVED, that subject to final approval of all transaction documents by the Board's Legal Counsel, the Board approves said funding.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: BlackEagle

By Trustee Clark – Supported by Trustee Cook

WHEREAS, the Board has been presented with a communication dated January 8, 2010, from BlackEagle wherein a Capital Call request is made in the amount of \$1,595,219.00, therefore be it

RESOLVED, that subject to final approval of all transaction documents by the Board's Legal Counsel, the Board approves said funding.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Syndicated Communication

By Trustee Clark – Supported by Trustee Cook

WHEREAS, the Board has been presented with a communication dated January 29, 2010, from Syndicated Communication wherein a Capital Call request is made in the amount of \$28,365.00, therefore be it

RESOLVED, that subject to final approval of all transaction documents by the Board's Legal Counsel, the Board approves said funding.

Total Capital Call Disbursements for Board Approval 2,623,584.00

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Disbursements

By Trustee Cook - Supported by Trustee Clark

WHEREAS, the Board has been presented with the fees and expenses which are referenced below requesting payment for services rendered, and

WHEREAS, the Board is satisfied that the services that were requested by the Board were provided to the Board; therefore be it

RESOLVED, that subject to approval by legal counsel and subject to staff audit, the Board approves payments of said fees and expenses:

THE GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT
LIST OF INVOICES FOR BOARD APPROVAL
February 3, 2010

PAYEE	INVOICE DATE	DESCRIPTION	AMOUNT
MANAGEMENT FEES:			
		Audited Fees	
Energy Opportunities Capital Mgt.	01/12/10	Management Fee 4th Qtr 2009	41,582.94
Intech	01/13/10	Management Fee 4th Qtr 2009	69,655.43
JP Morgan	01/21/10	Management Fee 4th Qtr 2009	200,000.00
Legg Mason	12/31/09	Management Fee 4th Qtr 2009	78,834.15
Reams	01/25/10	Management Fee 4th Qtr 2009	22,470.00
Rhumblin - Lehman	12/31/09	Management Fee 4th Qtr Index Fund- L860	790.71
Rhumblin - Lehman	12/31/09	Management Fee 4th Qtr Index Fund- L811	2,077.33
Rhumblin - Lehman	12/31/09	Management Fee 4th Qtr Index Fund- L850	5,458.66
Globeflex	01/25/10	Management Fee 4th Qtr 2009	72,816.14
LEGAL FEES:			
Clark Hill	12/10/09	Tradewinds Airlines Bankruptcy	317.48
Clark Hill	12/10/09	Legal services- FOIA- Jennifer Dixon	61.20
Clark Hill	12/10/09	Tradewinds Airlines Bankruptcy	17,507.96
Clark Hill	12/10/09	Legal services- PITG Gaming	1,508.09
Clark Hill	12/10/09	Legal services- FOIA-Bloomberg	715.20
Clark Hill	12/10/09	Legal services-MISC.	58.00
Clark Hill	01/22/10	Legal services- FOIA- Jennifer Dixon	1,336.20
L. Walker	02/02/10	Legal services-January 2010	2,049.80
OTHER EXPENSES:			
		Audited Fees	
ADP	01/14/10	Processing Charges thru 01/31/10 XJJ	42.32
Compuware	01/14/10	Development Pension Interface with Oracle	800.00
Compuware	01/14/10	Development Pension Interface with Oracle	4,940.00
Dr. O'Neal	11/23/09	Medical exams	1,095.00
Graphic Science	01/26/10	Imaging Pension Data 1979-2000	367.96
IKON	01/15/10	Copiers Maintenance Contract	167.70
Mecury Storage	01/26/10	Warranty/Maintenance Agreement	5,250.00
Neopost	01/12/10	Envelope Closing Sealing Agent	61.89
Neopost	02/02/10	Postage	5,000.00
Office Depot	01/21/10	Office Supplies	108.66
PDS	01/25/10	Data Management	11,204.97
IT Programmers payroll	01/31/10	01/10 Salaries	93,114.13
Quill	01/20/10	Office Supplies	1.89
Quill	01/20/10	Office Supplies	72.08
Zones	09/14/09	Computer Supplies	40.50
Zones	08/27/09	Computer Supplies	24.99
Total Invoice Disbursements for Board Approval			\$ 639,531.38

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Annuity Loan Program Status – Update

The Board was provided with an update regarding the Annuity Loan Program from Dennis Linet dated February 2, 2010. One issue regarding the program was due to the move of Human Resources Management System. Some applications were declined by First Independence Bank because they had a net pay of zero and employees with address changes have not yet been reflected on payroll.

Re: Insight Technology Fund

By Trustee Brooks – Supported by Trustee Clark

WHEREAS, the Board has committed \$10 million to the Insight Technology Fund, and

WHEREAS, the Board has been advised by fund management that the allocation of the system to a recent portfolio company investment was incorrectly valued, and

WHEREAS, fund management has given the Board three (3) options with respect to dealing with the excess valuation, and

WHEREAS, the Board has referred this matter to staff and has discussed the staff report on this date, therefore be it

RESOLVED, that the Board elects to follow the staff recommendation and selects Option 3 whereby that the excess valuation be re-allocated among other fund investors, and be it further

RESOLVED, that a copy of the resolution be sent to Insight Technology Fund management.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Energy Investors Funds 2010 Annual Investors Conference

By Trustee Clark – Supported by Trustee Glaser

RESOLVED, that the Board APPROVES the attendance of all Trustees, the Executive Secretary, the Assistant Executive Secretary and Legal Counsel to attend the Energy Investors Funds 2010 Annual Investors Conference held in Kiawah Island, South Carolina, May 3 – 6, 2010, and be it further

Re: Energy Investors Funds 2010 Annual Investors Conference – (Continued)

RESOLVED, that the Board APPROVES expenditures for all Trustees, the Executive Secretary, the Assistant Executive Secretary and Legal Counsel to attend said Conference.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Walton Street Capital, LLC 2010 Annual Investor Meeting

RESOLVED, that the Board APPROVES the attendance of all Trustees, the Executive Secretary, the Assistant Executive Secretary and Legal Counsel to attend the Walton Street Capital Annual Investor Meeting, held at the Four Seasons Hotel in Chicago, June 7 – 8, 2010, and be it further

RESOLVED, that the Board APPROVES expenditures for all Trustees, the Executive Secretary, the Assistant Executive Secretary and Legal Counsel to attend said Conference.

Yeas: Trustee Brooks, Clark, Cook, Glaser, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

Re: Piedmont Investment Advisors, LLC

The Board was invited to attend their Client Appreciation Dinner Party held on Wednesday, February 17, 2010, at the Coach Insignia Restaurant, 200 Renaissance Center; Detroit, Michigan.

Re: Invescor LTD

The Board is in receipt of the request from Invescor LTD dated January 25, 2010, requesting to propose additional investment opportunity. The Board, however, holds no interest at this time.

Assistant Executive Secretary Concludes at 9:45 a.m.

- ❖ *The Board recessed for a break period at 9:50 a.m.*
- ❖ *Trustee **Gracia** joined the meeting at 10:10 a.m.*
- ❖ *The Board resumed back on the record at 10:14 a.m.*

PRESENTATIONS

The Churchill Companies

Keith Gloeckl and Nicholas Degel, Investor Relations Representatives, appeared before the Board to give a portfolio update and present a mortgage offering.

- ❖ *Representatives from Churchill concluded at 10:55 a.m.*

City of Detroit - Board of Ethics

Deborah Gaskin, Executive Director, appeared before the Board to discuss the City of Detroit Board of Ethics. Each Board Member received informational material regarding "Ethics Ordinance" for reviewing.

- ❖ *Executive Director Gaskin concluded at 11:55 a.m.*
- ❖ *The Board recessed for Lunch at 12:00 Noon and resumed back on the record at 12:55 p.m.*

Re: General Retirement System of the City of Detroit Authorized Signatory List

By: Trustee Gracia – Supported by: Trustee Brooks

RESOLVED, that two signatures be required on all documents issued on behalf of the Board of Trustees of the General Retirement System of the City of Detroit, and be it further

RESOLVED, that the following persons be designated and authorized to execute all documents in conjunction with the holdings, purchases, and investments of the Retirement Systems, as well as proceeds of said investments and any monies belonging to the Retirement Systems, in accordance with the provisions of Title IX, Chapter VI, Article VIII of the 1918 City of Detroit Charter and continued in effect by Article II, Section 102 of the January 1, 1997 City of Detroit Charter and be designated and authorized to sign all papers, documents and vouchers in accordance with the aforesaid provisions:

(A) Any one (1) of the following:

- Walter Stampor, Executive Secretary
- Myron T. Terrell, Assistant Executive Secretary
- Cynthia Thomas, Assistant Executive Secretary
- Deborah Wilkerson, Manager I
- David Cetlinski, Manager I

(B) Any one (1) of the following Trustees:

- David Bing, Honorable Mayor
- Rev. Wendell Anthony
- David C. Clark
- Cedric Cook
- Saunteel Jenkins
- Alvin Brooks
- Susan Glaser
- Ronald Gracia
- Sheila W. Kneeshaw
- Cheryl R. Johnson

(C) Any two (2) of the Trustees listed in (B) above.

Yeas – Trustees Brooks, Clark, Cook, Glaser, Jenkins and
Chairperson S. Kneeshaw - 6

Nays – None

Re: City of Detroit Retiree Sub-Chapter 98 (AFSCME) – Listing of All Retirees

By Trustee Brooks – Supported by Trustee Clark

WHEREAS, the Board of Trustees received a copy of a letter from the City of Detroit Retiree Sub-Chapter 98 dated February 1, 2010 requesting an up-to-date complete listing of all retirees and their addresses, THEREFORE BE IT

RESOLVED, that the request for an updated retiree listing is hereby APPROVED, and further be it

RESOLVED, that a copy of this resolution be forwarded to Geraldine Chatman and Shirley Lightsey.

Yeas: Trustee Brooks, Clark, Glaser, Gracia, Jenkins and Chairperson S. Kneeshaw - 6

Nays: None

Re: Fiduciary Liability Insurance

By Trustee Gracia – Supported by Trustee Glaser

WHEREAS, the Board of Trustees is in receipt of a letter from Republic Underwriters, Inc. dated January 26, 2010, which provides for an additional \$10,000,000.00 of insurance coverage with National Union Fire (insurance company with an annual premium of \$102,414.00 (including certified acts of terrorism coverage), and

WHEREAS, the Board has discussed this matter, THEREFORE BE IT

RESOLVED, that the Retirement System obtain the additional \$10,000,000.00 of fiduciary liability coverage, and further be it

RESOLVED, that the payment of \$102,414.00 be made payable to Republic Underwriters, Inc., and further

RESOLVED, that a copy of this resolution be forwarded to Republic Underwriters, Inc., Attn: Scott W. Dickenson.

Yeas: Trustee Brooks, Clark, Glaser, Gracia, Jenkins and Chairperson S. Kneeshaw – 6

Nays: None

❖ *Trustee **Cook** rejoined the meeting from lunch period at 1:05 p.m.*

Re: Viola Huckaby – No. 204969 – Non-Duty Disability Application

By Trustee Glaser – Supported By Trustee Gracia

WHEREAS, on October 16, 2009, Viola Huckaby made application for Non-Duty Disability Retirement as recommended by the Board's medical director, and

WHEREAS, the Board has discussed this matter; therefore be it

RESOLVED, that based on the recommendation of the Medical Director, the Board APPROVES the application for Non-Duty Disability filed by Viola Huckaby, and be it further

RESOLVED, that a copy of this resolution be forwarded to Viola Huckaby.

Yeas: Trustee Brook, Clark, Cook, Glaser, Gracia, Jenkins
and Chairperson S. Kneeshaw – 7

Nays: None

❖ *Trustee **Gracia** stepped away from the meeting at 1:10 p.m.*

Re: Eligibility for 1973 Defined Contribution Plan Loan Program

By Trustee Brooks - Supported by Trustee Cook

WHEREAS, the Board is aware of its option not to require Memoranda of Understanding between collective bargaining associations and the employer, City of Detroit, and instead to accept letter of acceptance of the loan program (or equivalent) from collective bargaining associations, to determine eligibility for participation in said loan program, and

WHEREAS, the Board is aware of the position of the Labor Relations Director that Memoranda of Understanding or equivalent are required to determine eligibility for participation in said loan program, and

WHEREAS, the Board has been aware that there are Memoranda of Understanding signed on behalf of the following collective bargaining associations and the employer, City of Detroit, therefore be it

WHEREAS, the Board notes that additional collective bargaining associations may be added to the list of eligible union members for participation in the 1973 Defined Contribution Plan loan program on a day to day basis, and therefore, the Board wishes to use the updated list available on the date of typing this resolution; and further be it

RESOLVED, that the Board acknowledge that (1) all non-union employees and (2) employees covered by the following collective bargaining associations are eligible for participation in the 1973 Defined Contribution Plan loan program; and further

(See Next Page)

Re: Eligibility for 1973 Defined Contribution Plan – (continued)

BU	Description	Eligible?
3100	Detroit Emergency Medical Services Assoc	Yes
3400	ASSOC OF DETROIT ENGINEERS	Yes
4500	Detroit Income Tax Investigators Association	Yes
4800	Detroit License Investigators Association	Yes
4060	DFFA-Civilian Apparatus	Yes
4080	DFFA Local 344 Civilian Medical	Yes
4600	APL-DPL-Library UAW Local 2200	Yes
4650	Library Skilled Trades Unit - UAW 2200	Yes
4700	Pool-Library UAW Local 2200	Yes
8220	Teamsters - Consumer Affairs	Yes

RESOLVED, that the Board update its list of eligible employees from collective bargaining associations, and be it further

RESOLVED, that the Board take further action deemed necessary by the Board to arrange for the timely implementation of the loan program, and further be it

RESOLVED, that a copy of this resolution be forwarded to First Independence Bank and Dennis Linet and the Labor Relations Director.

YEAS: Trustee Brooks, Clark, Cook, Glaser, Jenkins
and Chairperson S. Kneeshaw – 6

NAYS: None

- ❖ *Trustee **Clark** stepped away from the meeting at 1:38 p.m. and rejoined the meeting at 1:43 p.m.*

LEGAL COUNSEL'S REPORTS/ CORRESPONDENCE

Legal Counsel, in addition to matters referred to separately in these minutes, reported regarding the status of the items reflected below and on the following pages:

Edro Cases:

Re: Dalton v. Dalton
Wayne County Case No. 02-209593-DO

By Trustee Cook – Supported by Trustee Glaser

WHEREAS, the Board is in receipt of an Eligible Domestic Relations Order dated March 21, 2002, which amends/supplements a Judgment of Divorce dated October 30, 2002, wherein Kim Dalton is awarded certain rights to the defined benefit plan and/or defined contribution plan benefits of Willie Dalton, Jr., who is currently an active employee, and

WHEREAS, participant's date of birth is September 2, 1953, and to date participant has attained 24 years, 3 months of service credit, and

WHEREAS, alternate payee is entitled to claim a portion of participant's defined contribution plan payment of which is subject to participant's eligibility for withdrawal from defined contribution plan and **SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME**, and

Re: Dalton v. Dalton

Wayne County Case No. 02-209593-DO – (Continued)

WHEREAS, alternate payee is entitled to claim a portion of participant's defined benefit plan, and

WHEREAS, defined contribution plan amounts can be made to the participant or the alternate payee upon participant attaining 25 years of service credit, or termination of service, or upon participant attaining the age of 60 years, or upon participant otherwise being eligible to withdraw amounts from the defined contribution plan, and **SUBJECT TO APPLICATION FOR SAME BEING MADE** by the party seeking payment, and

WHEREAS, the earliest date that payments from the defined benefit plan can be made to the participant or the alternate payee is upon participant attaining 25 years of service credit or otherwise receiving retirement benefits, and

WHEREAS, the Board's policy is to require that the cost for the actuary's calculations is to be borne by the parties to the domestic relations proceedings, and

WHEREAS, the court order provides for the parties to share the cost of the actuary's fees, and

WHEREAS, said matter had been discussed with legal counsel who has opined that the applicable terms of said court order are consistent with the provisions of the Retirement System and applicable law including Public Act 46 of 1991 (MCLA 38.1701) as applicable, therefore be it

RESOLVED, that the Board acknowledge receipt of said court order and pay pension benefits consistent with said court order subject to application being filed by the party seeking payment, and further

Re: Dalton v. Dalton

Wayne County Case No. 02-209593-DO – (Continued)

RESOLVED, that a copy of this resolution be IMMEDIATELY attached as the top sheet of the pension file, and other appropriate records be kept for the Retirement System relative to this matter, and further

RESOLVED, that copies of this resolution be sent to Attorney Gayle Fort; Attorney Eleanor Catron Smith; Kim Dalton and Willie Dalton, Jr.

Yeas: Trustee Brooks, Cook, Glaser, Jenkins
and Chairperson S. Kneeshaw – 5

Nays: Trustee Clark - 1

Re: Eckford v. Eckford
Wayne County Case No. 01-101140-DM

By Trustee Glaser – Supported by Trustee Cook

WHEREAS, the Board is in receipt of an Eligible Domestic Relations Order dated September 15, 2003, which amends/supplements a Judgment of Divorce, wherein Monica V. Eckford is awarded certain rights to the defined contribution plan benefits of Jimmie L. Eckford, only, who is currently an active employee, and

WHEREAS, participant's date of birth is July 13, 1947, and to date participant has attained 23 years, 3 months, of service credit, and

WHEREAS, alternate payee is entitled to claim a portion of participant's defined contribution plan, payment of which is subject to participant's eligibility for withdrawal from defined contribution plan and SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME, and

WHEREAS, alternate payee is not entitled to claim a portion of participant's defined benefit plan, because 100% of the defined benefit has been awarded to participant, and

WHEREAS, defined contribution plan amounts can be made to the participant or the alternate payee upon participant attaining 25 years of service credit, or termination of service, or upon participant attaining the age of 60 years, or upon participant otherwise being eligible to withdraw amounts from the defined contribution plan, and SUBJECT TO APPLICATION FOR SAME BEING MADE by the party seeking payment, and

WHEREAS, the Board's policy is to require that the cost for the actuary's calculations is to be borne by the parties to the domestic relations proceedings, and

Re: Eckford v. Eckford

Wayne County Case No. 01-101140-DM – (Continued)

WHEREAS, the court order provides for the parties to share the cost of the actuary's fees, and

WHEREAS, said matter had been discussed with legal counsel who has opined that the applicable terms of said court order are consistent with the provisions of the Retirement System and applicable law including Public Act 46 of 1991 (MCLA 38.1701) as applicable, therefore be it

RESOLVED, that the Board acknowledge receipt of said court order and pay pension benefits consistent with said court order subject to application being filed by the party seeking payment, and further

RESOLVED, that a copy of this resolution be IMMEDIATELY attached as the top sheet of the pension file, and other appropriate records be kept for the Retirement System relative to this matter, and further

RESOLVED, that copies of this resolution be sent to Attorney Harvey R. Beck; Judith A. O'Donnell, Monica V. Eckford and Jimmie L. Eckford.

Yeas: Trustee Brooks, Cook, Glaser, Jenkins
and Chairperson S. Kneeshaw – 5

Nays: Trustee Clark - 1

Re: Peterson v. Peterson
Wayne County – Case No. 07-709052-DN

By Trustee Glaser – Supported by Trustee Cook

WHEREAS, the Board is in receipt of a Judgment of Divorce believed to be dated May 27, 2008, wherein Michelle Peterson is awarded certain rights to the defined benefit plan and defined contribution plan benefits of George Peterson, who is currently an active employee, and

WHEREAS, participant's date of birth is August 1, 1963, and to date participant has attained 13 years of service credit, and

WHEREAS, alternate payee is subject to entry of an Eligible Domestic Relations Order ("EDRO") entitled to claim a portion of participant's defined contribution plan, payment of which is subject to participant's eligibility for withdrawal from defined contribution plan and **SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME**, and

WHEREAS, alternate payee is subject to entry of an "EDRO" entitled to claim a portion of participant's defined benefit plan, and

WHEREAS, defined contribution plan amounts can be made to the participant or the alternate payee upon participant attaining 25 years of service credit, or termination of service, or upon participant attaining the age of 60 years, or upon participant otherwise being eligible to withdraw amounts from the defined contribution plan, and **SUBJECT TO APPLICATION FOR SAME BEING MADE** by the party seeking payment, and

Re: Peterson v. Peterson
Wayne County – Case No. 07-709052-DN – (Continued)

WHEREAS, the earliest date that payments from the defined benefit plan can be made to the participant or the alternate payee is upon participant attaining 25 years of service credit or otherwise receiving retirement benefits, and

WHEREAS, the Board's policy is to require that the cost for the actuary's calculations is to be borne by the parties to the domestic relations proceedings, and

WHEREAS, the EDRO should provide for the payment of actuary's fees, and

WHEREAS, said matter had been discussed with legal counsel who has opined that the applicable terms of said court order are not consistent with the provisions of the Retirement System, because an EDRO has not yet been entered by the Court as applicable, therefore be it

RESOLVED, that the Board acknowledge receipt of said court order, and Subject to the entry of an EDRO pay pension benefits consistent with said EDRO subject to application being filed by the party seeking payment, and further

RESOLVED, that a copy of this resolution be IMMEDIATELY attached as the top sheet of the pension file, and other appropriate records be kept for the Retirement System relative to this matter, and further

RESOLVED, that copies of this resolution be sent to Michelle Peterson and George Peterson.

Yeas: Trustee Brooks, Cook, Glaser, Jenkins
and Chairperson S. Kneeshaw – 5

Nays: Trustee Clark - 1

Re: Inheritance Capital Group, LLC

The Board of Trustees received a copy of Inheritance's summary provisions of the investment, as requested on January 22, 2010, by Special Legal Counsel F. Logan Davidson.

❖ *Trustee **Jenkins** left the meeting for the day at 2:35 p.m.*

Re: ICG Leaseback Fund I, LLC: Investment by the General Retirement System of the City of Detroit

As a follow-up to Mr. Shumake's meeting with the Board of Trustees, general counsel was requested to provide the Board with some additional information concerning the company known as Atrium Financial, LLC ("Atrium") in connection with General Motors leaseback transaction. Articles of Organization dated September 19, 2007 with Filing Endorsement dated September 19, 2007; Certificate of Amendment to Articles dated October 16, 2007 with Filing Endorsement dated November 5, 2007; 2008 Annual Report (undated); Resignation of Resident Agent dated June 30, 2009 with Filing Endorsement dated November 5, 2007; and Affidavit of Shikha Hamilton dated December 19, 2007, were provided to the Board of Trustees for review.

Re: 1973 Defined Contribution Plan Loan Program

The Board of Trustees received a copy of the Ordinance authorizing the loan program regarding "Distributions" interpreted by Legal Counsel Ronald Zajac, which reads in Section 47-2-22(h) . . . (L) Distributions: No distributions shall be made to a participant, former participant, or beneficiary until all loan balances drawn on the applicable vested accumulated balance and applicable accrued interest have been liquidated.

❖ *Trustee **Gracia** left the meeting for the day at 2:44 p.m.*

Re: Windpoint Partners

By Trustee Glaser - Supported by Trustee Cook

WHEREAS, the Retirement system's investments in Windpoint Partners were categorized as P.A. 314, Section 20(a) investments, and

WHEREAS, the Board of Trustees has been made aware that Windpoint's office in Michigan have been closed and relocated to Illinois, and

WHEREAS, the Board's investment analyst recommends that the Windpoint's investment be re-categorized as a Section 20(d) instead for internal accounting purposes, and

WHEREAS, this matter has been discussed with its legal counsel, therefore be it

RESOLVED, that the Windpoint Partner investments be re-categorized from P.A. 314 of 1965 as amended Section 20(a) to Section 20(d), and further

RESOLVED, that a copy of this resolution be provided to the Board's investment analyst and accounting staff.

Yeas: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw - 5

Nays: None

Re: TradeWinds Bankruptcy Litigation
Professional Fees of Florida Bankruptcy Counsel

By Trustee Glaser – Supported by Trustee Cook

WHEREAS, the Board of Trustees, along with the Police and Fire Retirement System of the City of Detroit (PFRS) previously authorized Clark Hill PLC (Special Counsel) to engage Genovese Joblove & Battista, P.A. as the Board's Florida bankruptcy counsel in the TradeWinds bankruptcy case, and

WHEREAS, the Board of Trustees and PFRS have evenly split all of Genovese Joblove & Battista, P.A.'s fees relative to the TradeWinds bankruptcy case, and

WHEREAS, Genovese Joblove & Battista, P.A. has submitted the attached invoice #57198 dated January 14, 2010 for \$1,099.48 and such invoice has been reviewed by Special Counsel, and

WHEREAS, Special Counsel recommends payment of the Genovese Joblove & Battista, P.A. Invoice #57198 consistent with the policies of the Board of trustees, and

WHEREAS, this matter has been considered by the Board of Trustees, and
THEREFORE BE IT

RESOLVED, that the Board of Trustees approves the payment of its portion of the Genovese Joblove & Battista, P.A. Invoice #57198 consisting of \$549.74, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Board's Special Legal Counsel.

Yeas: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw – 5

Nays: None

Re: FREEP.COM

The Board of Trustees received a copy of the Detroit Free Press news article, dated February 2, 2010, entitled "DeDan Milton pleads guilty in bribery case," for review.

Legal Report Concludes.

OPEN DISCUSSION/NEW BUSINESS

Re: Reconciliation of Education/Travel Accounts Ronald Gracia

By Trustee Brooks – Supported by Trustee Clark

WHEREAS, the Board of Trustees is aware that the amount due the Retirement System re: 2008 Education/Travel Expense is \$5,701.09. The amount due the Retirement System re: 2009 Education/Travel through 10-25-09 is \$1,451.09, and

WHEREAS, the amount due the Retirement System for Education/Travel expenses total \$5,028.92 consisting of PREA \$2,841.39 and Annual Public Fund \$2,187.53 between 10-16-09 and 12-31-09, and

WHEREAS, the Board notes that Mr. Gracia has indicated he would pay the amounts due on or before 2-1-10, and

WHEREAS, the Board of Trustees has a fiduciary responsibility to collect amounts due the Retirement System, and

WHEREAS, the Board has discussed this matter, and

WHEREAS, in light of the circumstances caused by Mr. Gracia that the Board has no choice but to exercise its obligations to take appropriate action to collect all amounts due the Retirement system (\$12,181.10), and

WHEREAS, based on existing information, the Board does not deem it appropriate to grant further extensions of time regarding this matter, therefore be it

RESOLVED, that litigation be filed (1) to collect the \$12,181.10 due the Retirement system unless the \$12,181.10 is paid or reconciled prior to the filing of a lawsuit, and (2) to be reimbursed for attorney fees regarding this litigation, and further

RESOLVED, that interest at 7.9% be charged effective the date of filing the lawsuit, and further

RESOLVED, that a letter be sent to Mr. Gracia demanding payment of the \$12,181.10, and further

RESOLVED, that Mr. Gracia is encouraged to pay immediately the amount of \$12,181.10, due which payment would be beneficial to all parties concerned, and

Re: Reconciliation of Education/Travel Accounts Ronald Gracia – (Continued)

RESOLVED, that a copy of the resolution be forwarded to Mr. Ronald Gracia.

Yeas: Trustee Brooks, Clark, Cook, Glaser and Chairperson S. Kneeshaw – 5

Nays: None

➤ **DIRECTION OF THE CHAIR**

It is directed by the Chair that all Re-Caps are being suspended until the minutes are caught up.

Re: Trustee Stipend

Chairperson S. Kneeshaw informed the Board that the balance in question has been repaid in full by former Trustee Gerald Fischer.

ADJOURNMENT

There being no further business before the Board, **Chairperson S. Kneeshaw** adjourned the meeting at **3:50 p.m.** until **Wednesday, February 10, 2010**, at 9:00 a.m. in Room 910 of the Coleman A. Young Municipal Center, Detroit, Michigan 48226.

RESPECTFULLY SUBMITTED,



MYRON T. TERRELL
ASSISTANT EXECUTIVE SECRETARY