

MEETING NUMBER 2637

JOURNAL OF PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE  
POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT



PROCEEDINGS HELD THURSDAY, JULY 19, 2007  
9:00 A.M.  
IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS  
910 COLEMAN A. YOUNG MUNICIPAL CENTER  
DETROIT, MICHIGAN 48226



PRESENT

Marty Bandemer	Elected Trustee/Vice Chairperson
Jeffrey Beasley	Ex/Officio Trustee/Treasurer
Gregory Best	Elected Trustee/Chairperson
Shereece Fleming-Freeman	Ex/Officio Alternate Trustee
DeDan Milton	Ex/Officio Alternate Trustee
James Moore	Elected Trustee
George Orzech	Elected Trustee
Tyrone Scott	Ex/Officio Trustee/Fire Commissioner
Paul Stewart	Elected Trustee
Alberta Tinsley-Talabi	Ex/Officio Trustee/City Council Representative
Walter Stampor	Executive Secretary
Cynthia Thomas	Assistant Executive Secretary
Janet S. Lenear	Recording Secretary
Ronald Zajac	Legal Counsel
Joe Turner	Special Legal Counsel
Reginald O'Neal	Medical Director

EXCUSED

Jeffrey Pegg	Elected Trustee
Richard Huddleston	Investment Analyst

ABSENT

None

## CHAIRPERSON

*Gregory Best*

ROLL CALL WAS TAKEN AT **9:01 A.M.** BY THE BOARD'S RECORDING SECRETARY AND THE MEETING WAS CALLED TO ORDER.

### CLOSED SESSION

By Mr. Bandemer – Supported by Mr. Stewart

WHEREAS, The Board's Medical Director is now before the Board of Trustees of the Police and Fire Retirement System of the City of Detroit to discuss the medical and psychiatric reports of the individuals whose names are designated on the pages which follow relative to disability retirement applications and re-examinations, and

WHEREAS, The Michigan Open Meetings Act provides for Closed Sessions in certain circumstances, including the foregoing matter, and

WHEREAS, The Board has discussed this matter consistent with the Michigan Open Meetings Act, Therefore be it

RESOLVED, That the Board enter into Closed Session consistent with the Michigan Open Meetings Act:

A Roll Call vote was taken as follows:

CLOSED SESSION

Yeas – Trustees Bandemer, Freeman, Orzech, Stewart and  
Chairman Best – 5

Nays – None

The Board entered into Closed Session at **9:02 A.M.**

Trustees **Tyrone Scott** and **James Moore** entered the meeting.

Legal Counsel **Ronald Zajac** entered the Meeting.

OPEN SESSION

By Mr. Stewart – Supported by Mr. Orzech

Resolved, That the Board return to Open Session:

A Roll Call vote was taken as follows:

Yeas – Trustees Beasley, Freeman, Milton, Moore, Orzech,  
Scott, Stewart Chairman Best – 8

Nays – None

The Board returned to Open Session at **9:35 A.M.** and Medical  
Director **Reginald O'Neal** was excused for the remainder of the  
Meeting.

DISABILITY RETIREMENT APPLICATIONS

NAME, TITLE, DEPARTMENT	VERONICA GINN – FIRE PREVENTION
DISABILITY, PLAN	INSPECTOR - FIRE DUTY - NEW
INJURIES	NECK AND RIGHT FOOT
DOCTOR'S RECOMMENDATION	NON DUTY CONNECTED DISABILITIES
BOARD ACTION	DENY DUTY AND INFORM OF RIGHT TO APPLY FOR NON-DUTY DISABILITY RETIREMENT AND APPEAL DUTY DENIAL

NAME, TITLE, DEPARTMENT	STEPHEN HART – OFFICER - POLICE
DISABILITY, PLAN	DUTY - NEW
INJURIES	BOTH LEGS
DOCTOR'S RECOMMENDATION	CAUSATION UNCERTAIN
BOARD ACTION	APPROVE DUTY DISABILITY RETIREMENT

NAME, TITLE, DEPARTMENT	TYRONE JOHNSON – FIRE
DISABILITY, PLAN	INVESTIGATOR/LIEUTENANT - FIRE DUTY - NEW
INJURIES	LEFT SHOULDER
DOCTOR'S RECOMMENDATION	DUTY CONNECTED DISABILITY
BOARD ACTION	APPROVE DUTY DISABILITY RETIREMENT

**RE-EXAMINATIONS**

NAME DEPARTMENT DISABILITY TYPE RE-EXAM NUMBER	CONTINUE ON DISABILITY RETIREMENT PAYROLLS WITH NEXT EXAM IN ONE (1) YEAR	NO FURTHER EXAMS REQUIRED	MUST RECEIVE NEXT EXAM IN DETROIT, MICHIGAN
DAVID GRASSI – FIRE – DUTY – <b>1</b>	X	X	
ORLANDO POTTS – FIRE – DUTY – <b>2</b>	X	X	
MARK RATCLIFF – FIRE – DUTY – <b>4</b>	X	X	
PAUL SUAVE – FIRE – DUTY – <b>4</b>	X	X	
VERNELL SIMPSON – FIRE – DUTY – <b>7</b>	X	X	

VERONICA GINN

BY MR. SCOTT – SUPPORTED BY MS. FREEMAN

RESOLVED, THAT THE BOARD ACCEPT THE REPORT AND RECOMMENDATION OF ITS MEDICAL DIRECTOR REGARDING VERONICA GINN, AND BE IT FURTHER

RESOLVED, THAT BASED UPON THE BOARD'S MEDICAL DIRECTOR'S RECOMMENDATION, THE BOARD HEREBY DENIES

VERONICA GINN

MS. GINN'S APPLICATION FOR DUTY DISABILITY RETIREMENT, AND  
BE IT FURTHER

RESOLVED, THAT MS. GINN BE APPRISED OF HER RIGHT TO APPLY  
FOR NON-DUTY DISABILITY RETIREMENT AND APPEAL SAID DENIAL  
PURSUANT TO PROCEDURES ESTABLISHED BY COLLECTIVE  
BARGAINING:

Yeas – Trustees Freeman, Moore, Orzech, Scott, Stewart and  
Chairman Best – 6

Nays – Trustee Bandemer – 1

SPECIAL COUNSEL **JOE TURNER** ENTERED THE MEETING, AS DID  
TRUSTEES **JEFFREY BEASLEY** AND **DEDAN MILTON**.

STEPHEN HART

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

RESOLVED, THAT THE BOARD ACCEPT THE REPORT AND  
RECOMMENDATION OF ITS MEDICAL DIRECTOR REGARDING  
STEPHEN HART, AND BE IT FURTHER

RESOLVED, THAT BASED UPON THE BOARD'S MEDICAL  
DIRECTOR'S RECOMMENDATION, THE BOARD HEREBY  
APPROVES MR. HART'S APPLICATION FOR DUTY DISABILITY  
RETIREMENT:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

TRUSTEE **BANDEMER** TEMPORARILY EXCUSED HIMSELF.

TYRONE JOHNSON

BY MR. STEWART – SUPPORTED BY MR. ORZECH

RESOLVED, THAT THE BOARD ACCEPT THE REPORT AND RECOMMENDATION OF ITS MEDICAL DIRECTOR REGARDING TYRONE JOHNSON, AND BE IT FURTHER

RESOLVED, THAT BASED UPON THE BOARD'S MEDICAL DIRECTOR'S RECOMMENDATION, THE BOARD HEREBY APPROVES MR. JOHNSON'S APPLICATION FOR DUTY DISABILITY RETIREMENT:

YEAS – TRUSTEES BEASLEY, FREEMAN, MILTON, MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN BEST – 8

NAYS – NONE

TRUSTEE **BANDEMER** RE-JOINED THE MEETING.

RE-EXAMINATIONS

BY MR. STEWART – SUPPORTED BY MR. ORZECH

RESOLVED, THAT IN ACCORDANCE WITH THE RECOMMENDATION OF THE BOARD'S MEDICAL DIRECTOR, THE RETIRANTS WHOSE NAMES ARE REFERENCED ON PAGE FIVE BE CONTINUED ON THE DISABILITY RETIREMENT PAYROLLS WITH NO FURTHER RE-EXAMS BEING NECESSARY FOR DAVID GRASSI, ORLANDO POTTS, MARK RATCLIFF, PAUL SUAVE AND VERNELL SIMPSON:

RE-EXAMINATIONS

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

SYNDICATED COMMUNICATIONS VENTURE PARTNERS

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

Whereas, The Board has been presented with a July 16, 2007 communication from Syndicated Communications Venture Partners wherein Syndicated Communications Venture Partners requests that the Board fund its portion of the capital call due for Syndicated Communications Venture Partners V, L.P. in the amount of \$447,607.00, Therefore Be It

Resolved, That subject to final approval of all transaction documents by the Board's Legal Counsel, the Board approve said funding:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

TOUCHSTONE

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

Whereas, The Board has been presented with a July 18, 2007 communication from Touchstone wherein Touchstone requests that the Board fund its portion of the capital call due for

TOUCHSTONE

Touchstone Opportunity Investments II, Limited in the amount of \$1,523,076.92, Therefore Be It

Resolved, That subject to final approval of all transaction documents by the Board's Legal Counsel, the Board approve said funding:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

RETIREMENT APPLICATION

BY MR. STEWART – SUPPORTED BY MR. BANDEMER

RESOLVED, THAT THE RETIREMENT APPLICATION WHICH IS REFERENCED BELOW BE APPROVED:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

RETIREMENT

NAME, TITLE, DEPARTMENT	RACHELLE KELLY – OFFICER – POLICE
RETIREMENT, PLAN	DUTY DISABILITY RETIREMENT CONVERSION – NEW
SERVICE CREDIT, EFFECTIVE DATE	25 00 00 – 08 16 07

CONFIRMATIONS

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

RESOLVED, THAT THE DISBURSEMENTS AND RECEIPTS WHICH ARE DESIGNATED BELOW BE CONFIRMED:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

DISBURSEMENT CONFIRMATIONS

THE BOARD DISBURSED THE SUM OF \$269,000.00 ON JULY 11, 2007 TO FUND RDD INVESTMENT CORPORATION (CAPITAL CALL 48)

THE BOARD DISBURSED THE SUM OF \$15,000.00 ON JULY 12, 2007 TO PAY NORTH POINT ADVISORS (FALCON HEAD DUE DILIGENCE)

THE BOARD DISBURSED THE SUM OF \$10,000.00 ON JULY 12, 2007 TO PAY NORTH POINT ADVISORS (CITI-SMITH BARNEY (CVC) DUE DILIGENCE)

THE BOARD DISBURSED THE SUM OF \$12,014.77 ON JULY 13, 2007 – CHECK WRITE ADMINISTRATIVE EXPENSE

THE BOARD DISBURSED THE SUM OF \$784.00 ON JULY 13, 2007 TO PAY PDS (OFFICE SUPPLIES)

DISBURSEMENT CONFIRMATIONS

THE BOARD DISBURSED THE SUM OF \$945.00 ON JULY 13, 2007 TO PAY LAWRENCE WALKER'S LEGAL FEES - JUNE, 2007)

THE BOARD DISBURSED THE SUM OF \$53.31 ON JULY 13, 2007 TO PAY ADP'S FEES

THE BOARD DISBURSED THE SUM OF \$5,000.00 ON JULY 13, 2007 TO PAY KELLEY CAWTHORNE'S RETAINER FEE

THE BOARD DISBURSED THE SUM OF \$54,761.06 ON JULY 18, 2007 – ANNUITY REFUNDS

TOTAL: **\$367,558.14**

RECEIPT CONFIRMATIONS

THE BOARD RECEIVED THE SUM OF \$8,455,092.24 ON JULY 11, 2007 FROM OAK GROVE (SALE PROCEEDS)

THE BOARD RECEIVED THE SUM OF \$56,066.67 ON JULY 11, 2007 FROM THE SHEFFIELD – JUNE AND JULY, 2007 DISTRIBUTIONS

THE BOARD RECEIVED THE SUM OF \$48,159.18 ON JULY 11, 2007 FROM THE KALES BUILDING

THE BOARD RECEIVED THE SUM OF \$7,000.00 ON JULY 12, 2007 FROM U.S. REAL ESTATE INVESTMENT (DUE DILIGENCE)

RECEIPT CONFIRMATIONS

THE BOARD RECEIVED THE SUM OF \$4,485,290.82 ON JULY 12, 2007 FROM THE CITY OF DETROIT – '05 AND '06 CONTRIBUTIONS

THE BOARD RECEIVED THE SUM OF \$99,026.03 ON JULY 13, 2007 – WEEKLY ANNUITY CONTRIBUTIONS

THE BOARD RECEIVED THE SUM OF \$81,169.40 ON JULY 13, 2007 FROM INLAND'S AMERICAN REIT

THE BOARD RECEIVED THE SUM OF \$60,565.08 ON JULY 16, 2007 FROM BEHRINGER'S HARVARD REIT

THE BOARD RECEIVED THE SUM OF \$6,300.00 ON JULY 16, 2007 FROM THE CITY OF DETROIT (REIMBURSEMENT OF VOIDED CHECKS)

THE BOARD RECEIVED THE SUM OF \$1,844.85 ON JULY 13, 2006 FROM MICHAEL WRIGHT (PURCHASE OF MILITARY SERVICE CREDIT)

THE BOARD RECEIVED THE SUM OF \$45.00 ON JULY 13, 2007 – EXPRESS MAIL FEE

TOTAL: **13,300,559.27**

REFUNDS OF ACCUMULATED CONTRIBUTIONS

BY MR. STEWART – SUPPORTED BY MR. BANDEMER

RESOLVED, THAT THE CONTRIBUTIONS TO THE ANNUITY SAVINGS FUND, BY MEMBERS OF THE POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT, AS SET FORTH ON LIST **#3245**, IN THE AMOUNT OF **\$425,049.59**, INCLUDING INTEREST, BE REFUNDED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

MINUTES OF JUNE 21, 2007 AND JUNE 28, 2007

BY MR. BANDEMER – SUPPORTED BY MR. SCOTT

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, **JUNE 21, 2007** BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY, AND BE IT FURTHER

RESOLVED, THAT THE MINUTES OF THE MEETING HELD THURSDAY, **JUNE 28, 2007** BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN  
BEST – 9

NAYS – NONE

BILL PAYMENT REQUESTS

BY MR. ORZECH – SUPPORTED BY MR. SCOTT

WHEREAS, THE BOARD IS IN RECEIPT OF THE FOLLOWING BILLINGS 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 STAFF AUDIT, THE BOARD APPROVE PAYMENT OF SAID BILLINGS:

**FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED**

AMERICAN ARBITRATION ASSOCIATION – JUNE 11, 2007 - \$7,425.47 – 2007 PENSION TRUSTEE ELECTION EXPENSES

BANK OF NEW YORK – JUNE 25, 2007 - \$4,000.00 – ADMINISTRATION FEE FOR THE PERIOD JUNE 16, 2007 THROUGH JUNE 15, 2008

DAVIDSON, F. LOGAN – JULY 12, 2007 - \$3,930.00 - LEGAL FEE REGARDING ENTRUST CAPITAL WATERS INSTITUTIONAL FUND, LIMITED

DAVIDSON, F. LOGAN – JULY 12, 2007 - \$5,000.00 - LEGAL FEE REGARDING ONYX CAPITAL ADVISORY FUND I, L.P.

DAVIDSON, F. LOGAN – JULY 12, 2007 - \$4,000.00 - LEGAL FEE REGARDING FALCONHEAD CAPITAL PARTNERS II, L.P.

OFFICE DEPOT – JULY 9, 2007 - \$217.43 – POLICE AND FIRE PORTION OF \$434.85 – OFFICE SUPPLIES

BILL PAYMENT REQUESTS

**FIRM OR INDIVIDUAL, DATE, AMOUNT, SERVICE(S) PROVIDED**

O'NEAL, REGINALD – JULY 18, 2007 - \$1,050.00 – EXAMINATION FEES

PAYDEN & RYGEL – JULY 10, 2007 - \$29,117.00 – JUNE, 2007 MANAGEMENT FEES

TAPPERT COURT REPORTING – JULY 11, 2007 - \$79.65 – TRANSCRIPT FURNISHING FOR ARCHIE LANCE ARP HEARING

VERIZON WIRELESS – JULY 4, 2007 - \$2,173.04 – JUNE 5, 2007 – JULY 4, 2007 SERVICES

YOUNG, ALAN C. – JULY 13, 2007 - \$10,000.00 – MISCELLANEOUS EXPENSES RELATIVE TO DECEMBER 31, 2003 YEAR-END FINANCIAL AUDIT

ZAJAC, RONALD – JULY 12 ,2007 - \$1,675.50 – OUT-OF-POCKET EXPENSES FOR THE PERIOD MARCH 28, 2007 THROUGH JUNE 30, 2007

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON, MOORE, ORZECH, SCOTT, STEWART AND CHAIRMAN BEST – 9

NAYS – NONE

GWEN ASHE HEARING

**GWEN ASHE** ATTENDED A HEARING BEFORE THE BOARD RELATIVE TO THE POLICE DEPARTMENT'S APPLICATION FOR HER NON-DUTY DISABILITY RETIREMENT.

GWEN ASHE HEARING

TRUSTEE **ALBERTA TINSLEY-TALABI** ENTERED THE MEETING.

CLOSED SESSION

By Mr. Bandemer – Supported by Mr. Moore

Resolved, That the Board enter into Closed Session for the purpose of discussing medical matters relating to the Police Department's application for Gwen Ashe's Non-Duty Disability Retirement:

A Roll Call Vote was taken as follows:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART, TALABI AND  
CHAIRMAN BEST – 10

NAYS – NONE

The Board entered into Closed Session at **10:10 A.M.**

Legal Counsel **Ronald Zajac** conducted the Hearing, and Court Reporter **Angel Benny** made a transcript of the proceedings.

OPEN SESSION

By Mr. Orzech – Supported by Mr. Moore

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

OPEN SESSION

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON,  
MOORE, ORZECH, SCOTT, STEWART, TALABI AND  
CHAIRMAN BEST – 10

NAYS – NONE

The Board returned to Open Session at **10:20 A.M.** and **Ms. Ashe**  
and **Ms. Benny** were excused.

LEGAL COUNSEL'S REPORTS

LEGAL COUNSEL RONALD ZAJAC DISCUSSED VARIOUS MATTERS  
WITH THE BOARD, INCLUDING HOUSE BILLS **4801** AND **4802**,  
WXYZ-TV, CHANNEL 7, DOT HILL, FLEISCHMAN VERSUS HUANG, ET  
AL, AND THE RDD INVESTMENT CORPORATION (FORMERLY  
ENVIRONMENTAL DISPOSAL SYSTEMS, INC.), MYLES VERSUS  
MYLES, ORLANDO VERSUS ORLANDO AND WHITE VERSUS WHITE.

ENVIRONMENTAL DISPOSAL SYSTEMS, INC.

LEGAL COUNSEL PROVIDED EACH MEMBER OF THE BOARD WITH  
A COPY OF AN UNDATED TWO-PAGE COMMUNICATION FROM  
CONGRESS MEMBER JOHN CONYERS TO UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY REGIONAL  
ADMINISTRATOR MARY GADE REGARDING THE ABOVE-  
CAPTIONED MATTER.

HOUSE BILLS 4801 AND 4802

BY MR. BANDEMER – SUPPORTED BY MR. MOORE

WHEREAS, IT HAS COME TO THE BOARD'S ATTENTION THAT HOUSE BILLS 4801 AND 4802 WHICH, INTER ALIA, PROVIDES FOR RETIREES THE ELIMINATION OF HISTORICAL EXEMPTIONS REGARDING STATE INCOME TAXES APPLICABLE TO MICHIGAN PUBLIC RETIREES, AND

WHEREAS, THE BOARD IS OF THE OPINION THAT THE SENATE BILL IS DETRIMENTAL TO PUBLIC RETIREES AND IS UNFAIR UNDER THE CIRCUMSTANCES, INCLUDING THE HISTORICAL CURRENT BENEFIT, WHICH, AT LEAST, INFERENTIALLY, HAS BEEN PROMISED TO RETIREES BY THE STATE OF MICHIGAN, AND

WHEREAS, THE BOARD DEEMS IT APPROPRIATE TO **STRONGLY OPPOSE** HOUSE BILLS 4801 AND 4802 AND RESPECTFULLY URGES THE MICHIGAN SENATE TO VOTE AGAINST HOUSE BILLS 4801 AND 4802 AND ANY OTHER SIMILAR BILLS BY EITHER THE STATE OR HOUSE OF REPRESENTATIVES, AND

WHEREAS, THE BOARD URGES THE MICHIGAN ASSOCIATION OF PUBLIC EMPLOYEE RETIREMENT SYSTEMS (MAPERS) AND ALL MICHIGAN PUBLIC RETIREMENT SYSTEMS TO OPPOSE HOUSE BILLS 4801 AND 4802 AND ANY SIMILAR PROPOSALS, THEREFORE BE IT

RESOLVED, THAT THE BOARD OPPOSES HOUSE BILLS 4801 AND 4802 AND ANY SIMILAR PROPOSALS, AND BE IT FURTHER

RESOLVED, THAT THE BOARD ENCOURAGES ALL MICHIGAN PUBLIC EMPLOYEE RETIREMENT SYSTEMS TO OPPOSE SUCH PROPOSALS, AND BE IT FURTHER

RESOLVED, THAT THE SENATE AND HOUSE OF REPRESENTATIVES ARE URGED TO DEFEAT SUCH PROPOSALS, AND BE IT FURTHER

HOUSE BILLS 4801 AND 4802

RESOLVED, THAT MAPERS IS URGED TO TAKE APPROPRIATE ACTION TO SEEK TO DEFEAT SUCH PROPOSALS DESCRIBED ABOVE, AND BE IT FURTHER

RESOLVED, THAT COPIES OF THIS RESOLUTION BE FORWARDED TO EACH OF THE MICHIGAN STATE SENATORS, EACH OF THE STATE REPRESENTATIVES AND MAPERS:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON, MOORE, ORZECHE, SCOTT, STEWART, TALABI AND CHAIRMAN BEST – 10

NAYS – NONE

FLEISCHMAN VERSUS HUANG, ET AL

BY MR. MOORE – SUPPORTED BY MR. SCOTT

WHEREAS, THE BOARD IS IN RECEIPT OF A JULY 18, 2007 LETTER FROM SPECIAL COUNSEL BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP, PER SALVATORE GRAZIANO AND GERALD SILK, REQUESTING THE BOARD APPROVING THE SYSTEM SERVING AS A PLAINTIFF IN THE FLEISCHMAN VERSUS HUANG, ET AL DERIVATIVE CASE, AND

WHEREAS, THE BOARD HAS DISCUSSED THIS MATTER, THEREFORE BE IT

RESOLVED, THAT THE REQUESTS AND RECOMMENDATIONS OF BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP BE APPROVED AND BERNSTEIN, LITOWITZ BERGER AND GROSSMANN, LLP TAKE ACTIONS CONSISTENT WITH THE FOREGOING, AND BE IT FURTHER

FLEISCHMAN VERSUS HUANG, ET AL

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO BERNSTEIN, LITOWITZ, BERGER AND GROSSMANN, LLP, ATTENTION: SALVATORE GRAZIANO AND GERALD SILK:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON, MOORE, ORZECH, SCOTT, STEWART, TALABI AND CHAIRMAN BEST – 10

NAYS – NONE

REQUEST OF PAMELA BOGGUES-HUGHES

BY MR. ORZECH – SUPPORTED BY MR. STEWART

WHEREAS, PAMELA BOGGUES-HUGHES HAS REQUESTED (PER A JULY 17, 2007 LETTER) SERVICE CREDIT FOR EMPLOYMENT A POLICE CADET DURING THE PERIOD AUGUST, 1977 THROUGH SEPTEMBER, 1979 (TWO YEARS, ONE MONTH), AND

WHEREAS, MS. BOGGUES-HUGHES IS RELYING UPON A SETTLEMENT OF GRIEVANCE #89-185, AND

WHEREAS, THE BOARD'S GENERAL COUNSEL HAS REVIEWED ALL INFORMATION PROVIDED BY MS. BOGGUES-HUGHES WHICH WAS ATTACHED TO HER JULY 17, 2007 LETTER AND REPORTED THAT SAID DOCUMENTATION DOES NOT SUPPORT THE GRANTING OF MS. BOGGUES-HUGHES' REQUEST, AND

WHEREAS, THE BOARD NOTES THAT POLICE CADETS ARE NOT ELIGIBLE FOR MEMBERSHIP IN THE POLICE AND FIRE RETIREMENT SYSTEM, AND

WHEREAS, EMPLOYEE CONTRIBUTIONS WERE **NOT** MADE TO THE POLICE AND FIRE RETIREMENT SYSTEM DURING MS. BOGGUES-

REQUEST OF PAMELA BOGGUES-HUGHES

HUGHES' EMPLOYMENT AS A POLICE CADET AND THERE IS NO AUTHORITY OF THE BOARD TO GRANT MS. BOGGUES-HUGHES' REQUEST, AND

WHEREAS, THE BOARD HAS A FIDUCIARY DUTY TO ADMINISTER THE RETIREMENT SYSTEM CONSISTENT WITH RETIREMENT SYSTEM PROVISIONS, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MS. BOGGUES-HUGHES FOR POLICE AND FIRE RETIREMENT SYSTEM SERVICE CREDIT FOR HER PERIOD EMPLOYED AS A POLICE CADET BE DENIED AND A COPY OF THIS RESOLUTION BE FORWARDED TO HER:

YEAS – TRUSTEES BANDEMER, BEASLEY, FREEMAN, MILTON, MOORE, ORZECH, SCOTT, STEWART, TALABI AND CHAIRMAN BEST – 10

NAYS – NONE

TRUSTEE **STEWART** TEMPORARILY EXCUSED HIMSELF.

FAM-GLOBAL  
\$20,000,000.00 INVESTMENT

BY MS. FREEMAN – SUPPORTED BY MR. SCOTT

**WHEREAS**, the Board of Trustees of the Police and Fire Retirement System of the City of Detroit (the “Board”) previously approved the above-referenced investment, subject to a favorable due diligence report from Adrian Anderson of North Point Advisors (the “Board’s Advisor”) and a legal review from Clark Hill PLC (the “Special Legal Counsel”), and

**WHEREAS**, the Board's Advisor submitted a favorable due diligence report relative to the previous structure of the

FAM-GLOBAL  
\$20,000,000.00 INVESTMENT

transaction and Special Legal Counsel has provided a favorable legal review relative to the current structure of the transaction, subject to the Board's Advisor submitting an amended favorable due diligence report relative to the revised structure of the transaction, and

**WHEREAS**, the Board's advisor has submitted an amended favorable due diligence report, and

**WHEREAS**, the Board has considered this matter, **THEREFORE BE IT**

**RESOLVED**, that the Board hereby approves the signing of the Closing Documents subject to the finalization thereof, as well as review and approval by the Board's General Counsel and the Board's Special Legal Counsel, and be it further,

**RESOLVED**, that the Board authorizes its signatories to execute, and deliver the Closing Documents and any documentation required by the Board's General Counsel and the Board's Special Legal Counsel to consummate the closing on the investment, and be it further

**RESOLVED**, that the Board hereby approves the funding of its investment and authorizes, the funding up to Twenty Million and no/100 Dollars (\$20,000,000,00) of total wire transfers to the Investment Sponsor, or its agent, as described in draw requests, notice of capital calls or subscription agreement which shall be honored consistent with the Board's established procedures, subject to the review and approval of all authorized signatories for the disbursement request, and be it further

FAM-GLOBAL  
\$20,000,000.00 INVESTMENT

**RESOLVED**, that a copy of this resolution be forwarded to Fam-Global, the Board's advisor, North Point Advisors, and Clark Hill, the Board's special legal counsel:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Talabi and Chairman Best – 9

Nays – None

MYLES VERSUS MYLES  
WAYNE COUNTY CASE NUMBER 04-411593-DO

BY MR. MOORE – SUPPORTED BY MR. BANDEMER

WHEREAS, THE BOARD IS IN RECEIPT OF A JULY 9, 2007 ELIGIBLE DOMESTIC RELATIONS ORDER WHICH MEETS THE REQUIREMENTS OF THE EDRO ACT WHEREIN VALERIE MYLES IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF HERBERT MYLES WHO IS CURRENTLY AN ACTIVE EMPLOYEE; AND PARTICIPANT'S DATE OF BIRTH IS NOVEMBER 27, 1953 AND, TO DATE, PARTICIPANT HAS ATTAINED 28 YEARS OF SERVICE CREDIT, AND

WHEREAS, ALTERNATE PAYEE IS **NOT** ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED CONTRIBUTION PLAN BECAUSE ALL AMOUNTS WERE PREVIOUSLY WITHDRAWN, BUT ALTERNATE PAYEE **IS** ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT PLAN, AND PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE

MYLES VERSUS MYLES  
WAYNE COUNTY CASE NUMBER 04-411593-DO

PAYEE IMMEDIATELY; AND THE BOARD'S POLICY IS TO REQUIRE THAT THE COST FOR THE ACTUARY'S CALCULATIONS ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS, AND THE COURT ORDER PROVIDES FOR THE PARTIES TO SHARE THE COST OF THE ACTUARY'S FEES, AND

WHEREAS, SAID MATTER HAS 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, A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS RESOLUTION BE FORWARDED TO VALERIE MYLES AND HERBERT MYLES:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Talabi and Chairman Best – 9

Nays – None

ORLANDO VERSUS ORLANDO  
MACOMB COUNTY CASE NUMBER 06-5742-DO

BY MR. MOORE – SUPPORTED BY MR. BANDEMER

WHEREAS, THE BOARD IS IN RECEIPT OF A JUNE 28, 2007 DOMESTIC RELATIONS ORDER WHEREIN VIRGINIA ORLANDO IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN BENEFITS ONLY OF JAMES ORLANDO WHO IS CURRENTLY AN ACTIVE EMPLOYEE; AND THE BOARD HAS BEEN INFORMED THAT PARTICIPANT RETIRED EFFECTIVE DECEMBER 29, 1998; AND PARTICIPANT'S DATE OF BIRTH IS MARCH 16, 1951, AND PARTICIPANT HAD ATTAINED 28 YEARS, 09 MONTHS AND 03 DAYS OF SERVICE CREDIT, AND

WHEREAS, ALTERNATE PAYEE IS **NOT** ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED CONTRIBUTION PLAN BECAUSE ALL AMOUNTS WERE PREVIOUSLY WITHDRAWN, BUT ALTERNATE PAYEE **IS** ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT PLAN, AND PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE IMMEDIATELY; AND

WHEREAS, SAID MATTER HAS 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, THEREFORE BE IT RESOLVED THAT THE BOARD ACKNOWLEDGE RECEIPT OF SAID COURT ORDER AND PAY PENSION BENEFITS

ORLANDO VERSUS ORLANDO  
MACOMB COUNTY CASE NUMBER 06-5742-DO

CONSISTENT WITH SAID COURT ORDER, A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS RESOLUTION BE FORWARDED TO VIRGINIA ORLANDO AND JAMES ORLANDO:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Talabi and Chairman Best – 9

Nays – None

WHITE VERSUS WHITE  
WAYNE COUNTY CASE NUMBER 05-535235-DO

BY MR. MOORE – SUPPORTED BY MR. BANDEMER

WHEREAS, THE BOARD IS IN RECEIPT OF A JUNE 27, 2007 ELIGIBLE DOMESTIC RELATIONS ORDER WHEREIN SHEILA WHITE IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF SCOTT WHITE WHO IS CURRENTLY AN ACTIVE EMPLOYEE; AND PARTICIPANT'S DATE OF BIRTH IS JUNE 4, 1962, AND, TO DATE, PARTICIPANT HAS ATTAINED 17 YEARS, 11 MONTHS AND 05 DAYS 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

WHITE VERSUS WHITE  
WAYNE COUNTY CASE NUMBER 05-535235-DO

SAME; AND ALTERNATE PAYEE **IS** ENTITLED TO CLAIM A PORTION OF PARTICIPANT'S DEFINED BENEFIT PLAN, DEFINED CONTRIBUTION PLAN AMOUNTS CAN BE MADE TO THE PARTICIPANT OR 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 PAYMENTS FROM THE DEFINED BENEFIT PLAN CAN BE MADE TO THE PARTICIPANT OR ALTERNATE PAYEE IS UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT OR OTHERWISE RECEIVING RETIREMENT BENEFITS, AND THE BOARD'S POLICY IS TO REQUIRE THAT THE COST OF THE ACTUARY'S CALCULATIONS ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS, AND THE COURT ORDER PROVIDES FOR THE PARTIES TO SHARE THE COST OF THE ACTUARY'S FEES, AND

WHEREAS, SAID MATTER HAS 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, A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND A COPY OF THIS RESOLUTION BE FORWARDED TO SHEILA WHITE AND SCOTT WHITE:

WHITE VERSUS WHITE  
WAYNE COUNTY CASE NUMBER 05-535235-DO

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore,  
Orzech, Scott, Talabi and Chairman Best – 9

Nays – None

TRUSTEE **STEWART** RE-JOINED THE MEETING.

CHURCHILL FINANCIAL, LLC

BY MR. ORZECH – SUPPORTED BY MR. SCOTT

WHEREAS, THE BOARD HAS HEARD A PRESENTATION FROM CHURCHILL FINANCIAL, LLC (“CHURCHILL”) THIS DATE, AND CHURCHILL HAS INQUIRED WHETHER THE BOARD WILL RECEIVE AND CONSIDER INVESTMENTS TO BE SUBMITTED BY CHURCHILL, AND

WHEREAS, THE BOARD HAS DISCUSSED THIS MATTER, THEREFORE BE IT

RESOLVED, THAT THE BOARD WILL ACCEPT AND CONSIDER INVESTMENT PROPOSALS FROM CHURCHILL FOR CONSIDERATION BY THE BOARD ON A CASE-BY-CASE BASIS, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO CHURCHILL FINANCIAL, LLC, ATTENTION: NICK DEGEL:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore,  
Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

CLOSED SESSION

BY MR. BEASLEY – SUPPORTED BY MR. BANDEMER

Resolved, That the Board enter into Closed Session for the purpose of discussing matters involving attorney/client privilege:

A Roll Call Vote was taken as follows:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

The Board entered into Closed Session at **10:40 A.M.**

OPEN SESSION

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

The Board returned to Open Session at **10:55 A.M.**

CONFERENCE

BY MR. ORZECH – SUPPORTED BY MR. BANDEMER

Resolved, That the Board approve the attendance of all Trustees, the Executive Secretary, the Assistant Executive Secretary and General Counsel at the below-referenced conference, and be it further

Resolved, That the Board approve expenditures for all Trustees, the Executive Secretary, the Assistant Executive Secretary and General Counsel to attend said conference:

INTERNATIONAL FOUNDATION'S HEALTH CARE PLANS  
PROVIDENCE, RHODE ISLAND  
OCTOBER 9, 2007 – OCTOBER 17, 2007

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore,  
Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

ORLEANS CAPITAL

BY MR. MOORE – SUPPORTED BY MR. BANDEMER

RESOLVED, THAT ORLEANS CAPITAL REPRESENTATIVES BE REQUESTED TO APPEAR BEFORE THE BOARD FOR PRESENTATION PURPOSES:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore,  
Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

RETURN TO WORK DIRECTIVE FOR LORENZO TATE

BY MR. SCOTT – SUPPORTED BY MR. MOORE

RESOLVED, THAT IN ACCORDANCE WITH THE DETROIT MEDICAL CENTER'S MARCH 27, 2007 AND APRIL 25, 2007 RECOMMENDATIONS, **LORENZO TATE** BE RETURNED TO WORK AND HIS NAME BE REMOVED FROM THE DISABILITY RETIREMENT PAYROLLS AS OF THE DATE HE RETURNS TO WORK:

Yeas – Trustees Bandemer, Beasley, Freeman, Milton, Moore, Orzech, Scott, Stewart, Talabi and Chairman Best – 10

Nays – None

PUBLIC FORUM

AT **11:25 A.M.**, CHAIRMAN BEST DECLARED THE MEETING IN OPEN FORUM FOR GENERAL DISCUSSION BY THE PUBLIC ATTENDING THE MEETING.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD CHAIRMAN BEST ADJOURNED THE MEETING AT **11:30 A.M.** UNTIL THURSDAY, **JULY 26, 2007**, AT **9:00 A.M.**, IN ROOM 910 OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, DETROIT, MICHIGAN 48226.

RESPECTFULLY SUBMITTED,

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CYNTHIA A. THOMAS  
ASSISTANT EXECUTIVE SECRETARY