

MEETING NUMBER **2774**

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



PROCEEDINGS HELD THURSDAY, **FEBRUARY 25, 2010**
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 |
| Gregory Best | Elected Trustee |
| Ralph Godbee | Ex/Officio Trustee |
| Cheryl R. Johnson | Ex/Officio Trustee/Treasurer |
| Brenda Jones | Ex/Officio Trustee/Council Member |
| Kirk Lewis | Ex/Officio Trustee |
| James Mack | Ex/Officio Trustee/Fire Commissioner |
| James Moore | Elected Trustee/Vice Chairperson |
| Sean Neary | Elected Trustee |
| Jeffrey Pegg | Elected Trustee/Chairperson |
| Paul Stewart | Elected Trustee |
| Walter Stampor | Executive Secretary |
| Cynthia Thomas | Assistant Executive Secretary |
| Janet S. Lenear | Recording Secretary |
| Ronald Zajac | Legal Counsel |
| Joe Turner | Special Legal Counsel |

EXCUSED

| | |
|--------------------|--------------------|
| Richard Huddleston | Investment Analyst |
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ABSENT

None

CHAIRPERSON

Jeffrey Degg

VICE CHAIRPERSON

James Moore

AT THE CHAIR'S DIRECTION, ROLL CALL WAS TAKEN AT 9:11 A.M. BY THE BOARD'S RECORDING SECRETARY AND THE MEETING WAS CALLED TO ORDER.

SERVICE RETIREMENT – BY MR. STEWART – SUPPORTED BY MR. BANDEMER

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

SERVICE RETIREMENT

NAME, TITLE, DEPARTMENT: KEVIN KEMP – LIEUTENANT - POLICE
RETIREMENT TYPE, PLAN: SERVICE - NEW
SERVICE CR./EFFECTIVE DATE: 28 01 00 – 01 30 10

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, LEWIS, NEARY,
STEWART AND CHAIRMAN PEGG – 8

NAYS – NONE

DROP RETIREMENTS – BY MR. STEWART – SUPPORTED BY MR. NEARY

RESOLVED, THAT THE DROP RETIREMENTS WHICH ARE DESIGNATED BELOW BE APPROVED:

DROP RETIREMENTS

NAME, TITLE, DEPARTMENT: ANTHONY EWING – SERGEANT - POLICE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 28 03 18 – 01 20 10

NAME, TITLE, DEPARTMENT: GERALD HANKINS – LIEUTENANT - POLICE
RETIREMENT TYPE, PLAN: DROP - NEW

DROP RETIREMENTS

SERVICE CR./EFFECTIVE DATE: 26 03 27 – 01 14 10

NAME, TITLE, DEPARTMENT: PEDRO LOPEZ, JR. – BATTALION FIRE CHIEF
- FIRE

RETIREMENT TYPE, PLAN: DROP - NEW

SERVICE CR./EFFECTIVE DATE: 35 07 29 – 01 22 10

NAME, TITLE, DEPARTMENT: LUTHER MCCAIN – CAPTAIN - FIRE

RETIREMENT TYPE, PLAN: DROP - NEW

SERVICE CR./EFFECTIVE DATE: 32 06 23 – 01 28 10

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, LEWIS, NEARY,
STEWART AND CHAIRMAN PEGG – 8

NAYS – NONE

CONFIRMATIONS – BY MR. BEST – SUPPORTED BY MR. NEARY

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

RECEIPTS/DISBURSEMENTS

| | | | | |
|--------------------------------|----------|---------------------------------|----|------------|
| SG Mortgage Fund | 02/16/10 | Distribution | \$ | 74,114.77 |
| Inland American Reit | 02/16/10 | Distribution | | 66,532.29 |
| NOB Hill | 02/17/10 | Distribution | | 98,332.78 |
| Milestone Realty Services | 02/17/10 | Distribution-The Lafer Building | | 6,770.70 |
| SW Pelham | 02/17/10 | Distribution | | 107,041.00 |
| General Fund | 02/19/10 | Weekly Annuity Contribution | | 103,931.14 |
| River Road Fund, Ltd (Marwood) | 02/19/10 | Distribution | | 885,517.82 |

RECEIPTS-FINB

| | | | | |
|----------------|----------|----------------------------------|--|----------|
| Sean Bitgood | 02/16/10 | Military Service Credit-Purchase | | 3,439.72 |
| Earnest Dreary | 02/16/10 | Military Service Credit-Purchase | | 3,691.60 |

TOTAL RECEIPTS \$ 1,349,371.82

DISBURSEMENTS-BNY

| | | | | |
|--|----------|--------------------|----|------------|
| Neal & FM 548-1076-Mann 1100 | 02/16/10 | Capital Call | \$ | 681,420.00 |
| First Independence National Bank | 02/17/10 | Checkwrite | | 141,507.42 |
| First Independence National Bank | 02/17/10 | Refund List # 3344 | | 562,525.48 |
| Falconhead Capital Partners 11 | 02/18/10 | Capital Call | | 428,062.00 |
| Syndicated Communications Venture Partners v | 02/18/10 | Capital Call | | 115,730.00 |

TOTAL DISBURSEMENTS \$ 1,929,244.90

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, LEWIS, NEARY,
STEWART AND CHAIRMAN PEGG – 8

NAYS – NONE

REFUNDS OF ACCUMULATED CONTRIBUTIONS

BY MR. STEWART – SUPPORTED BY MR. BEST

RESOLVED, THAT THE CONTRIBUTIONS (**INCLUDING INTEREST**) TO THE ANNUITY SAVINGS FUND BY MEMBERS OF THE POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT BE REFUNDED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

LIST NUMBER: **3346**

REFUND AMOUNT: **\$572,030.76**

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, LEWIS, NEARY,
STEWART AND CHAIRMAN PEGG – 8

NAYS – NONE

TRUSTEE JAMES MOORE ENTERED THE MEETING.

SPECIAL LEGAL COUNSEL JOE TURNER ENTERED THE MEETING.

TRUSTEE BRENDA JONES ENTERED THE MEETING.

REQUEST OF WAYNE COUNTY EMPLOYEE'S RETIREMENT SYSTEM

BY MR. BEST – SUPPORTED BY MR. GODBEE

WHEREAS, The Wayne County Employees' Retirement System has requested the Board of Trustees to provide a copy of the Retirement System's due diligence report, re: Insight Technology ("Insight"), and

WHEREAS, The Retirement System has invested in Insight and the Wayne County Employees' Retirement System is considering an investment in Insight, Therefore be it

RESOLVED, That the Wayne County Employees' Retirement System is granted with the understanding that the information will be used by the Wayne County Employees' Retirement System and not distributed by the Wayne County Employees' Retirement System to any other party without approval by the Police and Fire Retirement System unless otherwise required by law, and be it further

REQUEST OF WAYNE COUNTY EMPLOYEE'S RETIREMENT SYSTEM

RESOLVED, That a copy of this resolution be forwarded to the Wayne County Employees' Retirement System, attention: Ronald Yee; and the Accounting Division of the Retirement System:

Ronald Yee
Wayne County Employees' Retirement System
28 West Adams
Suite 1900
Detroit, Michigan 48226

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

REQUEST OF DETROIT POLICE BENEFIT AND PROTECTIVE ASSOCIATION

BY MR. BANDEMER – SUPPORTED BY MR. STEWART

Whereas, the Board is in receipt of a February 18, 2010 communication from the Detroit Police Benefit and Protective Association wherein the Association requests that the Board provide the Association with the information which is outlined below:

- 1) Printout (by last name) of all currently employed Detroit police officers' names, pension numbers, assignments, ranks, complete mailing addresses and telephone numbers
- 2) Alphabetical printout (by last name) of all retired Detroit police officers' names, pension numbers, complete mailing addresses and telephone numbers; and

Whereas the Board has discussed the request of the Association with general counsel, Therefore be it

Resolved that with the **exception of full social security numbers**, the requested information be provided to the Association, and be it further

Resolved that a copy of this communication be forwarded to the Association and IT staff member Michael Powning:

REQUEST OF DETROIT POLICE BENEFIT AND PROTECTIVE ASSOCIATION

Mr. Delbert R. Jennings, Sr.
Secretary/Treasurer
Detroit Police Benefit & Protective Association
3031 W. Grand Boulevard
Suite "405"
Detroit, Michigan 48202

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

REQUEST OF CHRISTOPHER BAUMANN – PENSION NUMBER 233312

BY MR. MOORE – SUPPORTED BY MR. NEARY

WHEREAS, **CHRISTOPHER BAUMANN** HAS PRESENTED THE BOARD WITH A FEBRUARY 18, 2010 REQUEST TO RECEIVE A REFUND OF THE MILITARY SERVICE CREDIT HE PURCHASED, AND

WHEREAS, THE BOARD HAS DISCUSSED THE REQUEST OF MR. BAUMANN, THEREFORE BE IT

RESOLVED, THAT THE REQUEST OF MR. BAUMANN BE HEREBY APPROVED:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

Police and Fire Retirement System of the City of Detroit
Pre-Employment Military Service Credit

By Mr. Stewart – Supported by Mr. Moore

Whereas, The individual whose name is designated below has applied to this Board for Pre-Employment Military Service Credit and has complied with all of the necessary requirements of Section 54-30-3-b of the Charter Provisions, as amended by Board resolution of February 3, 1983, Therefore Be It

Police and Fire Retirement System of the City of Detroit
Pre-Employment Military Service Credit

Resolved, That payment of the full amounts be made to the Pension Accumulation Fund by the method selected by the individual and the number of months eligible active duty be credited him as membership service credit subject to the conditions and limitations of the authorizing Ordinance Provisions as amended by Board resolution of February 3, 1983:

RYDELL CHAVAEZ SMITH – PENSION NUMBER 230735

POLICE OFFICER/POLICE DEPARTMENT

PAYMENT METHOD: PAYROLL DEDUCTION OVER A 36-MONTH PERIOD. PAYMENTS WILL INCLUDE A 5% INTEREST CHARGE

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

Police and Fire Retirement System of the City of Detroit
Pre-Employment Military Service Credit

By Mr. Stewart – Supported by Mr. Moore

Whereas, The individual whose name is designated below has applied to this Board for Pre-Employment Military Service Credit and has complied with all of the necessary requirements of Section 54-30-3-b of the Charter Provisions, as amended by Board resolution of February 3, 1983, Therefore Be It

Resolved, That payment of the full amounts be made to the Pension Accumulation Fund by the method selected by the individual and the number of months eligible active duty be credited him as membership service credit subject to the conditions and limitations of the authorizing Ordinance Provisions as amended by Board resolution of February 3, 1983:

DANIEL F. SUMERACKI – PENSION NUMBER 191405

FIRE ENGINE OPERATOR/FIRE DEPARTMENT

Police and Fire Retirement System of the City of Detroit
Pre-Employment Military Service Credit

PAYMENT METHOD: TRANSFER FUNDS FROM NON-TAXABLE PORTION
OF ANNUITY

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

2010 POLICE DEPARTMENT TRUSTEE ELECTION

BY MR. MOORE – SUPPORTED BY MR. BEST

WHEREAS, THE BOARD IS IN RECEIPT OF A FEBRUARY 11, 2010
COMMUNICATION FROM POLICE CHIEF WARREN EVANS WHEREIN
CHIEF EVANS REQUESTS THAT THE BOARD UNDERWRITE THE
EXPENSES (\$9,750.00) THE POLICE DEPARTMENT WILL INCUR
RELATIVE TO THE POLICE DEPARTMENT CONDUCTING THE MAY, 2010
ELECTION TO FILL THE EXPIRING TERM (JUNE 30, 2010) OF MARTY
BANDEMER, THEREFORE BE IT

RESOLVED, THAT THE BOARD HEREBY APPROVES THE REQUEST OF
CHIEF EVANS, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO
POLICE CHIEF WARREN EVANS, AND THE ACCOUNTING DIVISION OF
THE RETIREMENT SYSTEM:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 10

NAYS – NONE

TRUSTEE JAMES MACK ENTERED THE MEETING.

NEW RETIREMENT SYSTEM OFFICES

BY MR. LEWIS – SUPPORTED BY MR. GODBEE

WHEREAS, DUE TO THE APPARENT OPPOSITION OF THE CITY
COUNCIL TO THE BUILDING OF AN OFFICE BUILDING AT 7850 EAST
JEFFERSON AVENUE IN DETROIT, THE BOARD WILL PURSUE OTHER

NEW RETIREMENT SYSTEM OFFICES

POSSIBILITIES TO SOLVE ITS NEED FOR SIGNIFICANT ADDITIONAL SPACE, AND

WHEREAS, THE BOARD HAS PREVIOUSLY CONSIDERED LEASING SPACE AT ONE DETROIT CENTER (COMERICA BUILDING) PRIOR TO ITS DECISION TO PURSUE BUILDING ITS OWN BUILDING AT 7850 EAST JEFFERSON AVENUE, AND

WHEREAS, MILESTONE REALTY SERVICES (“MILESTONE”) HAS PREVIOUSLY PROVIDED COST COMPARISONS, AND

WHEREAS, THE BOARD OF TRUSTEES DESIRES TO RE-CONSIDER THE POSSIBILITY OF LEASING SPACE AT ONE DETROIT CENTER (COMERICA BUILDING), AND

WHEREAS, THE BOARD NOTES THAT THE GENERAL RETIREMENT SYSTEM WAS AND IS CONTEMPLATED TO BE A CO-OWNER CO-TENANT OF THE NEW RETIREMENT SYSTEM OFFICES, THEREFORE BE IT

RESOLVED, THAT THE BOARD OF TRUSTEES IS HOPEFUL THAT THE GENERAL RETIREMENT SYSTEM WILL SHARE THE POLICE AND FIRE BOARD’S INTEREST IN CONSIDERING LEASING SPACE AT ONE DETROIT CENTER (COMERICA BUILDING) AND INVITES THE BOARD OF TRUSTEES OF THE GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT TO CONSIDER THIS MATTER, AND BE IT FURTHER

RESOLVED, THAT MILESTONE IS REQUESTED/DIRECTED TO 1) PROVIDE A REPORT, RE: PREVIOUS COST COMPARISONS, AND 2) CONTACT CHAUNCEY MAYFIELD AT MAYFIELD GENTRY REALTY ADVISORS (“MGRA”) AND OBTAIN UPDATED INFORMATION INDICATING COST COMPARISONS AND PROVIDE AN UPDATED REPORT, AND BE IT FURTHER

RESOLVED, THAT THE REPORTS TO BE SUBMITTED BY MILESTONE REALTY INCLUDE A COMPARISON WITH THE ACTUAL COSTS OF THE BOARD ON A TOTAL-COST BASIS AND PER-SQUARE-FOOT BASIS, AND BE IT FURTHER

NEW RETIREMENT SYSTEM OFFICES

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO MILESTONE REALTY SERVICES, ATTENTION: MARTY WEST; MAYFIELD GENTRY REALTY ADVISORS, ATTENTION: CHAUNCEY MAYFIELD; THE BOARD OF TRUSTEES OF THE GENERAL RETIREMENT SYSTEM; AND THE ACCOUNTING DIVISION OF THE RETIREMENT SYSTEMS:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

RFP FOR INVESTMENT ANALYST SERVICES

BY MR. BEST – SUPPORTED BY MR. GODBEE

WHEREAS, THE BOARD DEEMS IT APPROPRIATE TO ISSUE AN RFP FOR THE POSITION OF INVESTMENT ANALYST OR ASSISTANT TO INVESTMENT ANALYST WITH RESPECT TO THE BOARD'S ASSESSMENT OF ITS CURRENT AND FUTURE NEEDS IN THIS CATEGORY, AND

WHEREAS, THE BOARD NOTES THAT THE COSTS FOR INVESTMENT ANALYSTS ARE SHARED EQUALLY WITH THE GENERAL RETIREMENT SYSTEM AND THE BOARD ANTICIPATES THAT OBTAINING THE SERVICES OF AN INVESTMENT ANALYST PER INDIVIDUAL SERVICES CONTRACT WOULD BE SHARED WITH THE GENERAL RETIREMENT SYSTEM ("GRS") SUBJECT TO APPROVAL BY THE BOARD OF TRUSTEES OF THE GENERAL RETIREMENT SYSTEM, THEREFORE BE IT

RESOLVED, THAT AN RFP BE PREPARED BY THE EXECUTIVE SECRETARY STAFF FOR USE JOINTLY WITH THE GRS OR SOLELY BY THE POLICE AND FIRE RETIREMENT SYSTEM ("PFRS"), IF NECESSARY, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THE PROPOSED RFP BE FORWARDED TO THE GRS, AND BE IT FURTHER

RESOLVED, THAT THE BOARD OF TRUSTEES OF THE GRS IS REQUESTED TO ADVISE THE BOARD OF TRUSTEES OF THE PFRS WHETHER THE GRS WISHES TO PROCEED JOINTLY WITH THE PFRS TO ISSUE AN RFP REGARDING THE SERVICES OF AN INVESTMENT ANALYST, AND BE IT FURTHER

RFP FOR INVESTMENT ANALYST SERVICES

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE BOARD OF TRUSTEES OF THE GRS:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

STEWARD CAPITAL MANAGEMENT

ANMAR SARAFI AND AN ASSOCIATE DISCUSSED PERFORMANCE, THE STOCK MARKET AND SCM OPPORTUNITY FUND I, L.P.

EVERGREEN INVESTMENT MANAGEMENT COMPANY, LLC

BY MR. STEWART – SUPPORTED BY MR. MOORE

WHEREAS, THE BOARD OF TRUSTEES IS IN RECEIPT OF A REPORT DATED FEBRUARY 7, 2010 FROM ITS CONSULTANT, NORTH POINT ADVISORS, WHICH ATTACHES RECOMMENDED REVISED SMALL-CAP INTERNATIONAL EQUITY INVESTMENT POLICY AND GUIDELINES WHICH WILL BE DATED FEBRUARY 25, 2010, AND

WHEREAS, THE REVISED GUIDELINES INCREASES THE ABILITY TO INVEST IN EMERGING MARKETS FROM 15% TO 25%, AND

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

RESOLVED, THAT THE REVISED GUIDELINES INDICATED ABOVE ARE APPROVED, AND BE IT FURTHER

RESOLVED, THAT SAID GUIDELINES BE EXECUTED ON BEHALF OF THE POLICE AND FIRE RETIREMENT SYSTEM, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO EVERGREEN INVESTMENT MANAGEMENT; NORTH POINT ADVISORS, AND THE ACCOUNTING DIVISION OF THE RETIREMENT SYSTEM:

LORI BUFFUM
EVERGREEN INVESTMENT MANAGEMENT COMPANY, LLC

EVERGREEN INVESTMENT MANAGEMENT COMPANY, LLC

200 BERKELEY STREET
BOSTON, MASSACHUSETTS 02116

ADRIAN ANDERSON
NORTH POINT ADVISORS
28 WEST ADAMS
SUITE 1700
DETROIT, MICHIGAN 48226

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

CONFERENCE

BY MR. STEWART – SUPPORTED BY MR. BEST

Resolved, That the Board approve the attendance of all Trustees, the Executive Secretary, the Assistant Executive Secretary, General Counsel and Special Legal 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, General Counsel and Special Legal Counsel to attend said conference:

EIF ANNUAL MEETING
KIAWAH, SOUTH CAROLINA
MAY 3, 2010 – MAY 6, 2010

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

CONFERENCE

BY MR. STEWART – SUPPORTED BY MR. BEST

CONFERENCE

Resolved, That the Board approve the attendance of its Investment Analyst at the below-referenced conference:

EIF ANNUAL MEETING
KIAWAH, SOUTH CAROLINA
MAY 3, 2010 – MAY 6, 2010

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

DROP RETIREMENTS – BY MR. BEST – SUPPORTED BY MR. GODBEE

RESOLVED, THAT THE DROP RETIREMENTS WHICH ARE OUTLINED BELOW BE APPROVED:

NAME, TITLE, DEPARTMENT: KENNETH COOK – OFFICER - POLICE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 27 04 12 – 11 01 09

NAME, TITLE, DEPARTMENT: LONZE REYNOLDS – OFFICER - POLICE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 27 09 27 – 11 12 09

NAME, TITLE, DEPARTMENT: CRAIG ROBINSON – CAPTAIN - FIRE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 32 10 12 – 02 01 10

NAME, TITLE, DEPARTMENT: THEODORE SZENDA – FIRE ENGINE
OPERATOR - FIRE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 26 10 00 – 02 04 10

NAME, TITLE, DEPARTMENT: GEORGE BRAXTON, III – OFFICER - POLICE
RETIREMENT TYPE, PLAN: DROP - NEW
SERVICE CR./EFFECTIVE DATE: 26 07 17 – 02 01 10

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

DROP RETIREMENTS – BY MR. BEST – SUPPORTED BY MR. GODBEE

NAYS – NONE

TRUSTEES MARTY BANDEMER AND PAUL STEWART TEMPORARILY EXCUSED THEMSELVES.

LEGAL COUNSEL'S REPORTS

LEGAL COUNSEL RONALD ZAJAC DISCUSSED VARIOUS MATTERS WITH THE BOARD, INCLUDING HOUSE BILL "5323" AND PROVIDED EACH BOARD AND ADMINISTRATIVE STAFF MEMBER WITH A COPY OF A FEBRUARY 23, 2010 COMMUNICATION REGARDING SAME. COUNSEL ZAJAC ALSO DISCUSSED CRAIGHEAD VERSUS CRAIGHEAD.

CRAIGHEAD VERSUS CRAIGHEAD – PENSION NUMBER 232285
WAYNE COUNTY CASE NO. 113545-DO

BY MR. MOORE – SUPPORTED BY MR. LEWIS

WHEREAS, THE BOARD IS IN RECEIPT OF AN ELIGIBLE DOMESTIC RELATIONS ORDER DATED FEBRUARY 12, 2010, WHICH AMENDS/SUPPLEMENTS A JUDGMENT OF DIVORCE DATED JUNE 3, 2002, WHEREIN **OTHA F. CRAIGHEAD** IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF **MONTICA** CRAIGHEAD WHO IS CURRENTLY AN ACTIVE EMPLOYEE, AND

WHEREAS PARTICIPANT'S DATE OF BIRTH IS **APRIL 3, 1967** AND, TO DATE, PARTICIPANT HAS ATTAINED 18 YEARS AND 08 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 THE DEFINED CONTRIBUTION PLAN AND SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME, AND

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 ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 25 YEARS OF SERVICE CREDIT, OR TERMINATION OF SERVICE, OR UPON PARTICIPANT OTHERWISE BEING ELIGIBLE TO WITHDRAW AMOUNTS FROM

CRAIGHEAD VERSUS CRAIGHEAD – PENSION NUMBER 232285
WAYNE COUNTY CASE NO. 113545-DO

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 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 ARE 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 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 SUBJECT TO APPLICATION BEING FILED BY THE PARTY SEEKING PAYMENT, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, AND OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO ATTORNEY ELLEN WALLAERT; ATTORNEY ERIC L. PANZER; OTHA F. CRAIGHEAD; MONTICA CRAIGHEAD; AND RETIREMENT SYSTEM STAFF MEMBER DAVID CETLINSKI:

YEAS – TRUSTEES BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY AND CHAIRMAN PEGG – 9

NAYS – NONE

CRAIGHEAD VERSUS CRAIGHEAD – PENSION NUMBER 232285
WAYNE COUNTY CASE NO. 113545-DO

BY MR. MOORE – SUPPORTED BY MR. LEWIS

WHEREAS, THE BOARD IS IN RECEIPT OF AN ELIGIBLE DOMESTIC RELATIONS ORDER DATED FEBRUARY 12, 2010, WHICH AMENDS/SUPPLEMENTS A JUDGMENT OF DIVORCE DATED JUNE 3, 2002, WHEREIN **MONTICA CRAIGHEAD** IS AWARDED CERTAIN RIGHTS TO THE DEFINED BENEFIT PLAN AND DEFINED CONTRIBUTION PLAN BENEFITS OF **OTHA F. CRAIGHEAD** WHO IS CURRENTLY AN ACTIVE EMPLOYEE, AND

WHEREAS PARTICIPANT'S DATE OF BIRTH IS **APRIL 9, 1969** AND, TO DATE, PARTICIPANT HAS ATTAINED 10 YEARS AND 03 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 THE DEFINED CONTRIBUTION PLAN AND SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME, AND

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 ALTERNATE PAYEE UPON PARTICIPANT ATTAINING 20 YEARS OF SERVICE CREDIT, OR TERMINATION OF SERVICE, 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 ALTERNATE PAYEE IS UPON PARTICIPANT ATTAINING 20 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 ARE TO BE BORNE BY THE PARTIES TO THE DOMESTIC RELATIONS PROCEEDINGS, AND

CRAIGHEAD VERSUS CRAIGHEAD – PENSION NUMBER 232285
WAYNE COUNTY CASE NO. 113545-DO

WHEREAS, 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 SUBJECT TO APPLICATION BEING FILED BY THE PARTY SEEKING PAYMENT, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE IMMEDIATELY ATTACHED AS THE TOP SHEET OF THE PENSION FILE, AND OTHER APPROPRIATE RECORDS BE RETAINED BY THE RETIREMENT SYSTEM RELATIVE TO THIS MATTER, AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO ATTORNEY ELLEN WALLAERT; ATTORNEY ERIC L. PANZER; MONTICA CRAIGHEAD; OTHA F. CRAIGHEAD; AND RETIREMENT SYSTEM STAFF MEMBER DAVID CETLINSKI:

YEAS – TRUSTEES BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY AND CHAIRMAN PEGG – 9

NAYS – NONE

TRUSTEES BANDEMER AND STEWART RE-JOINED THE MEETING.

SPECIAL LEGAL COUNSEL'S REPORTS

SPECIAL LEGAL COUNSEL JOE TURNER DISCUSSED VARIOUS MATTERS WITH THE BOARD, INCLUDING GLORIA GAINES-HANNA, RDD INVESTMENT CORPORATION, THE RABY LITIGATION AND PITG GAMING. COUNSEL TURNER ALSO PROVIDED EACH BOARD AND ADMINISTRATIVE STAFF MEMBER WITH COPIES OF THE DOCUMENTS WHICH ARE REFERENCED AT THE END OF THESE PROCEEDINGS.

THE BOARD THEN ENTERED INTO CLOSED SESSION.

CLOSED SESSION

BY MR. STEWART – SUPPORTED BY MR. MACK

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, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

The Board entered into Closed Session at 12:47 P.M.

OPEN SESSION

BY MR. MOORE – SUPPORTED BY MR. GODBEE

Resolved, That the Board return to Open Session:

A Roll Call Vote was taken as follows:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS,
MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

The Board returned to Open Session at 1:12 P.M.

NORTH POINT ADVISORS

THE BOARD DISCUSSED NORTH POINT ADVISORS' FEBRUARY 25, 2010 COMMUNICATION REGARDING THE RIVERS CASINO IN PITTSBURGH WITH ADRIAN ANDERSON VIA PHONE CONFERENCE.

CAPITAL CALLS

BY MR. MACK – SUPPORTED BY MR. STEWART

CAPITAL CALLS

WHEREAS, THE BOARD HAS BEEN PRESENTED WITH THE CAPITAL CALLS WHICH ARE REFERENCED AT THE END OF THESE PROCEEDINGS, AND

WHEREAS, THE BOARD HAS BEEN REQUESTED TO APPROVE FUNDING OF SAID CAPITAL CALLS, THEREFORE BE IT

RESOLVED, THAT SUBJECT TO FINAL APPROVAL OF ALL TRANSACTION DOCUMENTS BY THE BOARD'S LEGAL COUNSEL AND SUBJECT TO STAFF AUDIT, THE BOARD APPROVES FUNDING OF SAID CAPITAL CALLS:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

FEES AND EXPENSES

BY MR. MOORE – SUPPORTED BY MR. LEWIS

WHEREAS, THE BOARD HAS BEEN PRESENTED WITH THE SUMMARY OF FEES AND EXPENSES WHICH ARE REFERENCED AT THE END OF THESE PROCEEDINGS 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 PAYMENT OF SAID FEES AND EXPENSES:

YEAS – TRUSTEES BANDEMER, BEST, GODBEE, JOHNSON, JONES, LEWIS, MACK, MOORE, NEARY, STEWART AND CHAIRMAN PEGG – 11

NAYS – NONE

EMPLOYER CONTRIBUTIONS DUE THE SYSTEM JUNE 30, 2009

RETIREMENT SYSTEM HEAD ACCOUNTANT **MARILYN BERDIJO** DISCUSSED THE CITY'S SCHEDULE OF INSTALLMENT PAYMENTS RELATIVE TO EMPLOYER CONTRIBUTIONS DUE THE SYSTEM JUNE 30, 2009.

DROP SICK TIME CALCULATIONS

Trustee **Marty Bandemer** instructed the Executive Secretary and the Assistant Executive Secretary to explain in detail how to calculate adding the un-used sick leave to average final compensation for DPOA and DFFA affiliates and how to calculate for the other bargaining unions. The discussion concentrated on the difference in the language in the Memorandum of Understanding between the City of Detroit and the unions that specifically detail how to compute the sum of the un-used sick leave that will be included in the average final compensation.

DOTT ACQUISITIONS

TRUSTEE **KIRK LEWIS** DISCUSSED HIS MEETING WITH DOTT REPRESENTATIVES REGARDING THE STATUS OF THE COMPANY/INVESTMENT.

CHAIRMAN PEGG DISCUSSED THE MEETING HE AND TRUSTEE NEARY ATTENDED IN LANSING REGARDING HOUSE BILL 4917.

PUBLIC FORUM

AT **1:50 P.M.**, CHAIRMAN PEGG 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 PEGG ADJOURNED THE MEETING AT **1:52 P.M.** UNTIL THURSDAY, **MARCH 4, 2010** AT 9:00 A.M., IN ROOM 910 OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, DETROIT, MICHIGAN 48226.

RESPECTFULLY SUBMITTED,

ADJOURNMENT

CYNTHIA A. THOMAS
ASSISTANT EXECUTIVE SECRETARY