

CITY OF FLINT EMPLOYEES' RETIREMENT SYSTEM
BOARD OF TRUSTEES REGULAR MEETING

A regular meeting of the Board of Trustees of the City of Flint Employees' Retirement System was held on Tuesday, September 26, 2006 at 1:00 p.m. in the Committee-of-the-Whole Room, 3rd Floor, City Council Chambers, at City Hall, with the following in attendance:

TRUSTEES & ALTERNATES Daniel Hall – Chairperson, Douglas Bingaman, Robert Erlenbeck, Ehren Gonzales (2:00), Janice Kehoe, Sandra Kidd, Michelle Kirkwood, Donald Phillips, Robert Rosenberger, Georgia Steinhoff, Cass Wisniewski

ABSENT Peggy Cook, Peter Dobrzeniecki, Amy Lindman, Kerry Nelson, Scott Sutter

ALSO PRESENT Suzi Bye, Retirement Supervisor
Ivory Day, Jr., Consultant, Gray & Company
Robert Hubbard, Gray & Company
Larry Langer, Gabriel, Roeder, Smith & Company
Trachelle Young, City Attorney/Attorney for the Retirement Board

1. CHAIRPERSON CALLS THE MEETING TO ORDER

Chairman Daniel Hall called the meeting to order at 1:05 p.m.

2. MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE BOARD

John Freeman, former Local #1799 Beautification Coordinator/Environmental Analyst for the City, stated that he was unsure of his status with the City, as he believes he has been on workers' compensation status since 2000. However, he received a letter dated August 8, 2006, stating that he is no longer eligible for workers' compensation or insurance benefits. The Retirement & Benefits office told him he is vested with 12 years seniority for retirement benefits; however, he has never been terminated from the City and so he should have 17 years on the books. Is he now eligible for retirement benefits? Robert Erlenbeck asked Mr. Freeman to contact Suzi Bye in the Benefits Office to apply for retirement, noting that Mr. Freeman is vested with at least 12 years of service credit. Based on his service and age, Mr. Freeman would be eligible for retirement. He further stated that Mr. Freeman could be processed for a pension based on 12 years, which would allow payments and benefits to begin. Subsequently, if there was found to be an error that would increase his pension, his pension payments could be increased at a later date.

Attorney Philip Seymour, 1026 West 11 Mile Road, Royal Oak, stated that he was present as an advocate for Sherrie Jackson, who was denied a disability retirement based on a report from Dr. Roth. Ms. Jackson believes she has further evidence to substantiate her application for disability retirement and she is requesting a hearing. Chairman Hall stated that the Board would review the request and contact them with a hearing date.

3. APPROVAL OF THE JULY 25, 2006 REGULAR BOARD MEETING MINUTES

It was moved by Robert Rosenberger, and supported by Georgia Steinhoff, to approve the minutes of the July 25, 2006, Regular Board Meeting.

Upon being put to a vote, the motion carried unanimously.

4. APPLICATIONS FOR VOLUNTARY RETIREMENT

**Jack Perkins
WPCF/1600**

Final Average Compensation:	\$ 45,241.20
Accumulated Contributions:	41,674.15
DRET:	4,368.50
Effective Date of Retirement	08/19/2006

Service: 25 Years, 1 Months

The retiree elected the Option A in the amount of \$ 2,272.60.

RESOLVED, that the Service, Final Average Compensation, Accumulated Contributions and Effective Date of Retirement for Jack Perkins be approved and the Treasurer of the City of Flint Employees' Retirement System be authorized and directed to pay a monthly pension under the Option A in the amount of \$2,272.60, for as long as he lives.

It was moved by Georgia Steinhoff, and supported by Robert Rosenberger, to approve the Application for Voluntary Retirement for the following person (with monthly pensions as noted):

Jack Perkins – Option A - \$2,272.60

Chairman Daniel Hall asked whether the applications for voluntary retirement had been fully audited and Suzi Bye responded that they were.

Upon being put to a vote, the motion carried unanimously.

- 8.2 International Business Forum, 9th Annual Defined Contribution Conference, October 8-10, 2006, San Francisco, CA.
- 8.3 National Association of Securities Professionals, 10th Annual Education Conference, October 10-12, 2006, New York, NY.
- 8.4 Financial Research Associates, Credit Derivatives 101 & 102, October 12-13, 2006, New York, NY.
- 8.5 Financial Research Associates, 5th Annual Valuation of Hard-to-Value Securities and Portfolios, November 30 - December 1, 2006, New York, NY.
- 8.6 Information Management Network, 12th Annual Fixed Income Summit, November 29 – December 1, 2006, Boca Raton, FL.

A motion was made by Robert Rosenberger, and supported by Robert Erlenbeck, to add the stated Conferences to the list of authorized conferences.

Upon being put to a vote, the motion carried unanimously.

- 9. **COMMUNICATIONS RECEIVED** *(All documents have been placed on file in the Retirement Office; if noted, a copy was enclosed in the Board Members' agenda packets)*
- 9.1 NCPERS, Persists, Summer 2006.
- 9.2 Allegiant, Letter to Daniel Hall re: Fundamental vs Structured Small Cap Value Change, July 31, 2006.
- 9.3 Intercontinental Real Estate Corp., Letter to Daniel Hall re: Distribution of Funds, September 1, 2006.
- 9.4 Northern Trust, Letter re: Notification of Deadline Change for Non-Recordkeeper Orders, September 8, 2006.
- 9.5 Gabriel, Roeder Smith & Co., Letter to Board of Trustees from Larry Langer re: Move to Chicago, August 18, 2006. *(Enclosed)*
- 9.6 Gregory Gibbs, Letter to Daniel Hall re: Adjournment of Hearings, August 17, 2006. *(Enclosed)*

- 9.7 Cooper, Shifman, Gabe, Quinn & Seymour, Letter to Retirement Board re: Sherrie Jackson, August 16, 2006. *(Enclosed)*
- 9.8 Cooper, Shifman, Gabe, Quinn & Seymour, Letter to Retirement Board re: Kimberly Davis, August 29, 2006. *(Enclosed)*
- 9.9 FERS, Letter to Kathleen Robinson from Bob Erlenbeck re: Disability Retirement, November 28, 2005. *(Enclosed)*
- 9.10 Letter to Retirement Board from Kathleen Robinson re: Disability Retirement, September 7, 2006. *(Enclosed)*
- 9.11 E-mail to Daniel Hall from Kathy House re: FERS to MERS, August 22, 2006.
- 9.12 E-mail to Daniel Hall from Barry Fagan re: FERS to MERS, August 28, 2006. *(Enclosed)*

A motion was made by Georgia Steinhoff, and supported by Robert Rosenberger, to receive the Communications and place them on file.

Discussion followed. Mr. Erlenbeck requested that Item #s 9.6, 9.7, 9.8, 9.9 and 9.10 be referred to the Professional Services Committee. Chairman Hall stated that the Professional Services Committee will be meeting on October 9th and will discuss those items at that time. Mr. Hall informed Attorney Seymour that the Professional Services Committee would be in contact regarding a hearing date.

Upon being put to a vote, the motion carried unanimously.

- 10. **COMMUNICATIONS SENT** *(All documents have been placed on file in the Retirement Office; if noted, a copy was enclosed in the Board Members' agenda packets.)*
- 10.1 FERS, Letter to Dave Stewart from Bob Erlenbeck re: Denial of Glynis Rice, August 18, 2006. *(Enclosed)*
- 10.2 Memo to Daniel Hall and Board of Trustees from Trachelle Young re: Hiring Independent Counsel, August 21, 2006. *(Enclosed)*
- 10.3 Letter to Northern Trust from Daniel Hall re: September 1, 2006 Pension Transfer, August 22, 2006.
- 10.4 FERS, Letter to Samuel Dismond, M.D. from Peter Dobrzeniecki re: FERS to MERS, August 28, 2006. *(Enclosed)*

- 10.5 FERS, Letter to Milberg Weiss from Daniel Hall re: Termination of Monitoring Agreement, August 31, 2006.

A motion was made by Georgia Steinhoff, and supported by Cass Wisniewski, to approve the Communications Sent and place them on file.

Chairman Hall noted that he would like to discuss Item #10.4 under #14, FERS to MERS.

Upon being put to a vote, the motion carried unanimously.

11. REPORTS RECEIVED *(All items were placed on file in the Retirement Office; if noted, a copy was enclosed in the Board Members' agenda packets)*

- 11.1 Sit Investment Associates, Portfolio Performance as of June 30, 2006.
- 11.2 Globeflex Capital, Performance Update as of June 30, 2006.
- 11.3 Fisher Investments, Investment Portfolio as of July 31, 2006.
- 11.4 Wentworth, Hauser & Violich, Appraisal Summary as of June 30, 2006.
- 11.5 Lynch, Jones & Ryan, Trading Summary as of July 31, 2006.
- 11.6 Magna Securities, Commission Recapture as of July 31, 2006.
- 11.7 Fidelity Investment, Capital Contribution, August 23, 2006.
- 11.8 Fidelity Investment, Capital Contribution, August 29, 2006.
- 11.9 Fidelity Investment, Capital Contribution, August 31, 2006.
- 11.10 Northern Trust Reports – July 2006 *(Enclosed)*
- 11.11 Retirement Fund Employee/Employer Contributions *(Enclosed)*

A motion was made by Robert Rosenberger, and supported by Robert Erlenbeck, to receive the Reports and place them on file.

Upon being put to a vote, the motion carried unanimously.

Robert Rosenberger asked that #11.10 be discussed under #16, the Gray & Company

report.

12. STATISTICAL REPORT OF BENEFITS (for information only)

	<u>2004</u>	<u>2005</u>	<u>2006</u>
Number Retired	3,002	3,032	3,026
Annualized Payroll	\$ 62,627,143	\$ 64,198,389	\$ 64,876,145

13. APPROVAL OF THE OCTOBER 1, 2006 PENSION PAYROLL TRANSFER

Chairman Daniel Hall reported that a transfer of \$5,037,100 is needed for the payment of the October 1st, 2006 pension payroll, with funds to be taken from the Northern Trust Flint-Drawdown Account #26-19617. The balance in the Northern Trust drawdown account as of September 21, 2006, is \$32,112,262.45.

A motion to approve the transfer of \$5,037,100 for payment of the October 1st, 2006 pension payroll, from the Northern Trust Flint - Drawdown Account #26-19617 to Citizens Bank, was made by Georgia Steinhoff, and supported by Cass Wisniewski.

Chairman Hall and Consultant Ivory Day reported that the Northern Trust drawdown account has been set up to maintain an asset allocation that simulates the overall Fund's asset allocation, which requires purchasing or redeeming units as needed each month to rebalance the fund whenever a transfer is made.

Upon being put to a vote, the motion carried unanimously.

14. FERS TO MERS TRANSITION

Chairman Daniel Hall stated that, regarding Item #10.14, Letter to Samuel Dismond, M.D., from Peter Dobrzeniecki regarding FERS to MERS, there has been no response from Mr. Dismond, the President of the Hurley Medical Center Board of Managers. Cass Wisniewski said that he was told that the Hurley legal advisor is reviewing the letter.

Chairman DH stated that Item #14 is tabled because the Board requested information two weeks prior to the Board Meeting and no information has been received. Chairman Hall also stated that the Board had been told that the MERS actuarial report was completed; however, he has not seen any actuarial report from MERS.

Chairman DH introduced the Actuary from Gabriel Roeder Smith & Company, Larry Langer, and asked him to introduce the new client service person for FERS. Mr. Langer was also asked about the status of the MERS actuarial report and whether it had been finalized.

Larry Langer stated that he has a new position at Gabriel Roeder (GRS) as head of the Chicago office. He introduced the new actuary for FERS, David Hoffman, who works out of the Southfield office. Mr. Langer also noted that he is still available to FERS as past issues are being resolved.

Larry Langer stated that MERS' actuary at GRS is updating the February 2006 actuarial report originally done for the FERS Board, referencing \$65,000,000 for the MERS transfer. That report should be completed and reviewed by MERS and Hurley this week. He noted that GRS calculations indicate that Hurley's contribution rate should be 8.6% of pay to MERS. Cass Wisniewski clarified that MERS did not have a final report as of today, with a final transfer amount, which was confirmed by Larry Langer.

15. INVESTMENT COMMITTEE REPORT

Chairman Daniel Hall reported that there has been no meeting of this ad hoc committee.

16. GRAY & COMPANY

Ivory Day, Jr. noted that, at the last meeting, he presented a proposal from Allegiant Asset Management to move the FERS assets from one small cap value investment to another and he recommended it as an appropriate strategy. Mr. Day reported that he has spoken with Allegiant regarding the transition costs involved, reasoning that since it was not FERS' decision to move, FERS should not be responsible for the transition costs. As a result, Allegiant has agreed to deduct the \$53,000 in transition costs from their recent invoice. Chairman Hall noted that Allegiant has been placed on the watch list.

Mr. Day distributed and reviewed a Manager Review Report on Globalt, Inc. In the 2nd quarter performance report, at the September meeting, Globalt's under-performance was called into question. Larry Gray had assigned two staff members to meet with Globalt on August 28th, as Gray has several clients with Globalt who are concerned about their performance. Staff reviewed Globalt's performance and investment strategy with them and Globalt is working on a plan to stop their losses. Globalt, which is based in Atlanta, is also in the process of adding to their staff. Mr. Day noted that "Globalt" is short for "Global Alternatives" and they invest in domestic companies that have revenue coming from overseas. They are the only money manager that uses their particular investment strategy. Mr. Day stated that the recommendation of Gray & Company to their clients is to allow Globalt time to make changes, with Gray monitoring them on a monthly basis. Mr. Day proposed that Globalt be kept on the watch list and he will report on their progress again in January. FERS currently has about \$65,000,000 invested through Globalt. Discussion followed.

Chairman Daniel Hall noted that two managers, Dodge & Cox and ICON, will be giving performance reports to the Board at the October 17th board meeting at 2:00 and 2:30. He also reported that he asked Dow Jones to make a presentation on indexes at the October 17th meeting.

17. FINANCE COMMITTEE

Chairman Hall reported that the Finance Committee has not met.

18. PROFESSIONAL SERVICES COMMITTEE REPORT

Committee Chair Georgia Steinhoff reported that the Committee met on September 11. They discussed Sherrie Jackson's request for a hearing and recommended that a hearing date be set for her. They asked whether she is still an employee at Hurley Medical Center and Chairman Hall replied that she was still on the payroll. Chairman Hall informed Ms. Jackson's attorney that the Professional Services Committee will meet on October 9th and set a hearing date at that meeting.

Georgia Steinhoff reported that Kim Davis' sleep study has been conducted. Bob Erlenbeck stated that he received the report after the September 11 committee meeting, and the Committee will review it at their October 9th meeting. They also discussed Kathleen Robinson's request to re-apply for disability retirement. The Committee has been developing the criteria for re-applications for disability retirements and are recommending that the disability policy be updated by the Board to include the following criteria: 1) the applicant must wait 18 months after the date they are denied for a disability retirement before they can re-apply, OR 2) the applicant may re-apply if their medical condition has changed significantly, as substantiated by their medical records. Ms. Robinson has now re-applied for a disability retirement.

Ms. Steinhoff noted that the Committee also discussed a request from Hurley retirees through MERS regarding redepositing for prior service. Although these individuals are MERS retirees, MERS wants FERS to perform the calculations. The Retirement Office is attempting to contact the retirees involved to inform them that MERS and MERS retirees must work out any issues.

Bob Erlenbeck stated that he and staff met with MERS and Hurley representatives last Friday only to discuss operational issues such as the calculation of time, etc. One issue that remains unclear, from MERS' standpoint, is whether they are to follow the union contracts and the City ordinance as to how pensions are calculated or if they are to follow Hurley union contracts and their own MERS governing documents in regards to how pensions are calculated. This issue makes it even more inappropriate for FERS staff to perform any

calculations regarding pensions. Ms. Steinhoff noted that, in the early meetings she attended at Hurley with MERS, they were told that MERS would be duplicating what FERS has been doing. Suzi Bye stated that MERS has since made it clear that will not be the case. Bob Erlenbeck stated that FERS staff would not be doing MERS' work for them, but had offered to help them understand how the calculations are done. However, if MERS will be referring to totally different documents for their methodology for calculating service credits, redeposits, etc., FERS staff can do nothing more than provide requested data. If FERS was asked to assist with some calculations and not others, there is a risk that different members of the same groups would have their pensions calculated differently. One issue that was discussed was the issue that 80 hours equals one month of service and ten months equals one year; those issues are different in the MERS' controlling documents. Discussion followed. These issues could change Hurley's liability. Cass Wisniewski noted that MERS calculates the liability based on date of hire; they don't consider sick leave and disability issues, changing to part-time status, etc. Bob Erlenbeck stated that the MERS representatives indicated at the meeting that everything was finalized and there are no major outstanding issues affecting the transfer. It was clear, from that meeting, that there are significant differences and if those differences are being incorporated into MERS' calculations of the amount of money to be transferred, there are significant issues to be discussed. Potentially, their valuation will be greater than the FERS' valuation because of these differences. Cass Wisniewski stated that MERS was taking the study done in February and adding on the 2005 data. Larry Langer said they were taking the 2004 study and "rolling it up" to October to determine a good asset figure that could be transferred, taking into account the disbursements and contributions since. Mr. Langer stated that issues such as dates of hire, service credits, etc., as long as they are consistent on both sides, are probably not material for valuation purposes.

Mr. Erlenbeck made a formal referral that, once MERS has finalized their actuarial valuation and made the determination regarding the transfer, with the information scheduled for presentation to the Retirement Board, the actuaries from Gabriel Roeder Smith for both FERS and MERS should be present at the Board Meeting to participate in the discussion of the actuarial reports and answer questions from the Board. Chairman Hall agreed and stated that Joseph Esuchanko should be in attendance also and letters should be sent to all of them requesting their attendance.

Regarding the Minute Master, Julie Sadler reported that the software was purchased for \$400, she has compiled all of the minutes that are still available on computer, and she has begun working on the tutorial. It is her belief that this function can be done internally and it will be up to the Board whether they want to do a "parallel Minute Master" for 2006 or begin with 2006 without Gabriel Roeder. Chairman Hall asked that Ms. Sadler meet with the Professional Services Committee to show them how the program would work once it is operational.

Georgia Steinhoff gave information to Robert Erlenbeck regarding liability insurance that she received at a MAPERS presentation.

19. LEGAL COUNSEL UPDATES

Attorney Trachelle Young stated that there is no new information to report on the Take Two Interactive and Claude Miller lawsuits.

Attorney Young advised the Board on the case of Hooten vs. Hooten. This is a divorce case in which the wife sued the husband for divorce in 1989. Pursuant to the terms they agreed on in the divorce, the surviving spouse should have been designated, for purposes of the retirement plan, to be treated as the surviving spouse and would qualify for any pre-retirement survivor benefits. When he retired, he elected a deferred retirement and began receiving benefits in April of 1999. The law says that a Domestic Relations Order can be considered an EDRO, an Eligible Domestic Relations Order, if it is filed before the person selects his retirement option. In this case, the divorce was never filed with the City. The City had no way of knowing that the former Mrs. Hooten was eligible to be listed as the surviving spouse. Attorney I'Lanta Robbins filed to intervene because the City received notice that they wanted the City to recalculate so that she could receive some benefits. The City filed to say that is not legal and proper. The Judge had ordered the pension to be recalculated and Mr. Hooten did not object. However, the Attorneys want to file a motion for reconsideration and, if necessary, appeal the ruling. They believe that the Judge did not understand the law and this is completely inconsistent with what he should have done under the law. She asked the Board to concur with filing a motion for reconsideration and, if necessary, authorize filing a motion to appeal. Discussion followed. According to the law, any orders must be filed before the retirement takes effect, and the City wants to stay consistent with the law. Otherwise, a precedent could be set. Bob Erlenbeck stated that Mr. Hooten's file contained a request for information from her attorney in 1989. The information was provided and no additional communication, either from the attorneys or the individuals, was received until now, 16 years later. Chairman Hall recommended the Board follow the attorney's advice. There are other options to resolve this issue, such as pension payroll deductions.

A motion was made by Georgia Steinhoff, and supported by Robert Rosenberger, to authorize the City Attorney's office to file a Motion for Reconsideration and, if it is denied, file a Motion to Appeal the case.

Discussion followed. It was noted that the City Ordinance does not allow a change in option after retirement.

Upon being put to a vote, the motion carried unanimously.

Attorney Young stated that no date has been set for the pension calculation hearings. One reason is that a search was done for the Board's hearing rules and procedures and she were told there were none. At a recent meeting of the Professional Services Committee, I'Lanta Robbins was given a document entitled "City of Flint Employees Retirement System Board of Trustees Meetings - Rules of Procedures" by Georgia Steinhoff. The Minute Master and other records were searched, but no evidence has been found indicating the Board ever adopted these rules. The only reference on the document is that it was prepared by Attorney Habeeb Ghattas. There is no date of adoption. Ms. Young asked the Board, if they agree they have been in compliance with those rules, if they would adopt the rules at today's meeting so that, from this point on, it will be on record that these are the official rules and procedures of the Board. Then the hearings can be scheduled, utilizing that document as a guideline. Attorney Young noted that her office has reviewed the rules and believes they are sufficient for now, although the Board may want to revise or amend them later on.

A motion was made by Georgia Steinhoff, and supported by Ehren Gonzales, to adopt the "Retirement System Board of Trustees Meetings - Rules of Procedures," as presented by the Attorney.

Discussion followed. It appears the rules have been in use by the Board for quite some time, although they weren't formally adopted.

Upon being put to a vote, the motion carried unanimously.

Bob Erlenbeck and Suzi Bye distributed additional information to the Board Members for the notebooks created for the Correction of Pension Errors hearings. Attorney Young stated that she will be setting a hearing date.

20. RETIREMENT ORDINANCE REVISION COMMITTEE

Chairman Hall reported that this Committee has not yet met. However, Mr. Hall has been researching his old records and will give copies of documents from previous ordinance changes and council meetings to Ehren Gonzales and Julie Sadler, who are compiling this information in preparation to begin this process.

21. DB/DC CONVERSION

Bob Erlenbeck reported that the unions have all of the DB/DC documentation they requested, including a copy of the actuarial table utilized for calculating the actuarial conversion, in order to evaluate the details of the defined contribution plan the City is implementing. Once the unions have agreed on the implementation, per Ordinance, a

window will be opened to allow #1600, #1799 and exempts (500-600 employees total) the option to transfer to the defined contribution plan or remain in the defined benefit plan. There are 50-60 new employees in the defined contribution plan who were hired after the contracts were ratified and did not have an option.

22. OTHER BOARD BUSINESS

Donald Phillips noted that the Ordinance language regarding the 13th Check states that those payments must be made by October 1st if there are sufficient earnings to generate one. Therefore, the Board should have had the numbers at this meeting; however, it is unclear who is making the calculations, since the responsibility has been taken from Larry Langer and Gabriel Roeder.

Larry Langer stated that the actuaries need the System's assets as of 12/31/05 to calculate the 13th check. Becky Keller from Gabriel Roeder told Mr. Langer this morning that Peter Dobrzeniecki informed them that the calculations would be done in-house this year. Mr. Langer also stated that there is a 90% chance that there will not be a 13th check paid out this year, based upon the calculation methodology in place since 1984 and the fact that the System is still absorbing returns from earlier in the decade.

Discussion followed. It was noted that the Ordinance states that the 13th check calculations are to be done by the Actuary.

Bob Erlenbeck made a referral to the Attorney's office regarding the fact that, even though a 13th check is being discussed, it is not under the same Ordinance language as when the 13th check was paid in the past. There is an Ordinance adopted by the City Council since the original 13th check Ordinance was eliminated by (Emergency Financial Manager) Ed Kurtz. There are differences in the Ordinances, which may affect how the 13th check is calculated or who is to make the calculations. An opinion is needed from the Attorney. Chairman Daniel Hall agreed with the referral and noted that the new Ordinance referenced is #3662. He also stated that it would serve the Board to give direction to Gabriel Roeder to provide the calculations regarding the 13th check.

A motion was made by Georgia Steinhoff, and supported by Ehren Gonzales, that the Finance Director be directed to submit the 12/31/05 assets to Gabriel Roeder Smith & Company so that they can make the calculations for the 13th check by the next Board Meeting.

Upon being put to a vote, the motion carried unanimously.

Robert Erlenbeck asked for discussion and consideration of the issue of charging retirees for copies of their retirement files. It has been the past practice in the Retirement Office to provide individuals with copies of requested documents, or their entire file, without cost. However, there are currently more than 145 pending retiree requests for information. He asked the Board to consider allowing the System to follow the same procedures as those for Freedom of Information Act (FOIA) and other requests, charging the System's costs (hourly rate of lowest cost employee) for researching and copying the requested documents. This would recover the System's costs and defer frivolous requests. Currently, there are two different requests coming to the Retirement Office: 1) Retirees are sending letters requesting information from their retirement files, with 82 of those requests formally coming through the City Attorney's office as a FOIA. If the letters cite the Freedom of Information Act, all the rules and regulations are followed, including the right to charge for time and copies.

Discussion followed. Attorney Trachelle Young stated that the office should be charging according to the Master Fee Schedule for copying information. Mr. Erlenbeck noted that it takes his staff a great deal of time to research and copy files – generally 2-1/2 to 5 hours per file. The current number of requests in their office is expected to require 500 hours to complete. The attorney representing the retirees in the 26/27 pays class action lawsuit sent a letter to all plaintiffs telling them to request information from the City regarding their individual pensions and whether one 27-week pay was included in their calculations.

Chairman Hall referred the issue to the Professional Services Committee and the Attorney. It was noted that, at the time of retirement, applicants can receive copies of their file.

23. ADJOURNED

There being no further business to discuss, it was moved by Georgia Steinhoff, and supported by Ehren Gonzales, to adjourn the meeting at 2:55 p.m.

Upon being put to a vote, the motion carried unanimously.

Respectfully submitted,

Peter Dobrzeniecki, Secretary