

**OFFICIAL PROCEEDINGS OF
THE BOARD OF TRUSTEES CITY OF LANSING
EMPLOYEES' RETIREMENT SYSTEM**

Regular Meeting
10th Floor, City Council Conference Room

December 20, 2022
Tuesday, 9:30 a.m.

The meeting was called to order at 9:34 a.m.

Present: Trustee Bahr, Dedic, Ebright, Garza, Kraus, Jeffries, Kirkland, Kraus, Parker, Schor – 9
Absent: Excused: Sanchez-Gazella

Others present: Karen Williams, Evangelina Hernandez, Human Resources Department, Attorney Joseph Abood, City Attorney's Office; Attorney Aaron Castle, VanOverbeke, Michaud & Timmony, P.C.; Gregory Stump, Boomershine Consulting Group.

Karen Williams reported that City Council has appointed Ms. Mary Ellen Jeffries to Employees' Retirement System Board as Citizen Representative.

Ms. Jeffries provided an overview of her financial experience working with the nonpartisan Senate Fiscal Agency for the State of Michigan.

It was moved by Trustee Bahr and supported by Trustee Kirkland to approve the Joint Official Minutes of the Employee Retirement System Board and the Police and Fire Retirement System Board meeting of November 8.

Adopted by the following vote: 9 -0

Secretary's Report

6 New member(s), Reinstatement(s), 0 Refund(s), 0 Transfer(s), 1 Retired. Total active membership: 470. Total deferred:69. Death(s). Refunds made since the last regular meeting amounted to \$0. Retirement allowances paid for the month of November 2022 amounted to \$2,017,579.96. Total retirement checks printed for the ERS: 925. Total retirement checks printed for both systems: 1715. Domestic relations order received: 1. Domestic relations orders pending: 0. Eligible Domestic Relations Order certified: 0

It was moved by Trustee Bahr and supported by Trustee Dedic to approve the following Request for Age and Service Retirement.

Aldrek Allen, (UAW – Public Service) 25 years, 7 months of service credits, age 59, Effective 12/17/2022

Ann Parry, (Teamsters – Public Service, T214 Non-Supervisory), 19 years, 2 months of service credits, age 60, Effective 1/27/2023

Adopted by the following vote: 9 – 0

Ms. Williams reported that the Employees' Retirement System received a request for duty disability for Applicant #2022 -E1220. Ms. Williams reported that the disability subcommittee had met, reviewed the request, and had a recommendation for the Board.

It was moved by Trustee Bahr and supported by Trustee Ebright to forward Applicant #2022-E1220 to the medical director for evaluation.

Adopted by the following vote: 9 -0.

There were no requests for non-duty disability.

Ms. Williams provided the following invoices from Boomershine Consulting Group, \$2,683.63; Northern Trust, \$13,512.41.

It was moved by Trustee Dedic and supported by Trustee Bahr to approve the Employees' Retirement System Invoices for December.

Adopted by the following vote: 9 – 0

Attorney Aaron Castle provided a letter of notification for increase in billing rates for VanOverbeke, Michaud & Timmony, PC legal services. The increase for the Board's legal services would reflect a 3% fee increase to \$195.00 for non-litigation legal services and \$210 per hour for litigation legal services.

Attorney Abood opined that approval of litigation legal fees would be contrary to the City Charter. Attorney Abood indicated that Attorney Castle or his firm VanOverbeke, Michaud & Timmony could not represent the Employees' Retirement System Board in litigation, until the City Attorney has approved the law firm and City Council has added the firm to approved City Council list.

Attorney Abood reported that the City Attorney's office has represented the Board in a legal matter and received a successful conclusion.

Attorney Castle and VanOverbeke, Michaud & Timmony have maintained that State Law authorizes the Board to retain its own independent legal counsel and does not specify litigation or non-litigation. There is a difference of opinion between the Board's legal Counsel and the City Attorney's office.

Trustee Dedic inquired about the legal matter.

Attorney Abood indicated a retiree's beneficiary sued the Retirement Board directly due to a retirement option selected at the time of retirement.

Trustee Schor stated that he would support the legal policy because there has not been an issue regarding litigation representation. Trustee Schor indicated if the issue were to arise, the Retirement Board, City's Attorney Office and the Board legal counsel will need to discuss and determine a course of action. If the State Law supersedes the City Charter, then the Board would need a legal opinion.

Trustee Kraus inquired if submitting VanOverbeke, Michaud and Timmony to the City Council approved list, would provide a resolution. Trustee Kraus also asked what process was required to have the firm be added to the approved list.

Attorney Abood stated the City Attorney would need to make the recommendation for the law firm to City Council. City Council would need to approve the addition. The City Attorney would still represent the City of Lansing, and VanOverbeke, Michaud and Timmony would be the City Attorney's outside counsel.

It was moved by Trustee Dedic and supported by Trustee Kraus to approve legal counsel services fee for Attorney Castle.

Adopted by the following vote: 9 – 0.

Ms. Williams indicated that the Employees' Retirement System has received a request to update the Minute Master. The proposal set a fee not to exceed \$3,100. Ms. Williams indicated that the last update was \$1,750.

It was moved by Trustee Ebright and supported by Trustee Bahr to approve the update of Minute Master with costs to not exceed \$2,000.

Adopted by the following vote: 9 -0

Karen Williams updated the Employees' Retirement Board regarding the Northern Trust Account. The Board has a new account manager, Clayton Robinson. The Board has inquired about sending contributions directly to Northern Trust and paying Plan expenses through the custodian bank.

The Employees' Retirement System Board requested that Mr. Clayton Robinson be invited to the Joint meeting in February.

Ms. Williams reviewed the Monthly Investment Report for the month ending November 30, 2022.

It was moved by Trustee Garza and supported by Trustee Kraus to adjourn the Employees' Retirement System Board December meeting.

The meeting ended at 10:02 a.m.

Minutes approved on 1/17/2023

*Desiree Kirkland, Secretary
Employees' Retirement System*

*Dennis R. Parker, Chairperson
Employees' Retirement System*