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MUNICIPAL EMPLOYEES' ANNUITY & BENEFIT FUND  
ELECTION COMMITTEE MEETING

STENOGRAPHIC REPORT OF PROCEEDINGS had at  
the audio conference meeting of the above-entitled  
matter, held at 321 North Clark Street, Suite 700,  
in the City of Chicago, County of Cook, State of  
Illinois, on Wednesday, October 7, 2020, commencing  
at the hour of 10:30 a.m.

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APPEARANCES

BOARD MEMBERS:  
JEFFREY J. JOHNSON  
MELISSA CONYEARS-ERVIN  
THOMAS J. MCMAHON

ATTORNEYS FOR THE BOARD:  
BURKE, BURNS AND PINELLI, LTD.  
BY: MS. MARY PATRICIA BURNS  
MS. SARAH A. BOECKMAN

ALSO PRESENT:  
  
DONNA HANSEN, Office Manager  
STACEY RUFFOLO, Deputy Executive Director  
DENNIS WHITE, Executive Director  
  
BENJAMIN KIDDER, Chicago Board of Education

1 TRUSTEE JOHNSON: I hereby convene this  
2 Election Committee meeting for October 7, 2020.  
3 Under the 2020 Election Rules, the Election  
4 Committee is comprised of Trustee Johnson, Trustee  
5 McMahan and Treasurer Conyears-Ervin. The purpose  
6 of today's meeting is for the Election Committee to  
7 confirm the eligibility of Candidates for the  
8 election for trustee of the Retirement Board  
9 consistent with the Election Rules and Section  
10 8-193 of the Illinois Pension Code.

11 Donna, please call the roll.

12 MS. HANSEN: Madam Treasurer.

13 TRUSTEE CONYEARS-ERVIN: Yes.

14 MS. HANSEN: Trustee Johnson.

15 TRUSTEE JOHNSON: Yes, ma'am.

16 MS. HANSEN: Trustee McMahan.

17 TRUSTEE MCMAHON: Yes.

18 TRUSTEE JOHNSON: Thank you, we have a  
19 quorum for today's meeting.

20 Public Act 101-0640 allows this meeting  
21 to be conducted by video/audio conference. The Act  
22 requires a roll call vote be taken on each matter  
23 acted upon. I ask that Trustees be prepared to  
24 unmute their microphones and clearly respond to the

1 roll call vote on each matter that we consider for  
2 approval.

3 Further, consistent with Public Act  
4 101-0640, I note for the record that the Executive  
5 Director is physically present at the Fund's  
6 office. We are proceeding by video and audio  
7 conference because we continue to believe that due  
8 to the pandemic it is prudent to not all be  
9 physically present in the same space. We have  
10 posted notice of this meeting in accordance with  
11 the Open Meetings Act and the meeting is being  
12 recorded. A transcript of the proceedings will be  
13 prepared and ultimately, after approval, will be  
14 made available to the public on the Fund's website.

15 I am going to ask for public comments,  
16 consistent with Public Act 91-0715 and reasonable  
17 constraints determined by the Board of Trustees at  
18 each regular meeting of the Board or its committees  
19 that is open to the public, members of the public  
20 may request a brief time to address the Board on  
21 relevant matters within its jurisdiction.

22 I am going to ask the staff has there  
23 been any requests for public comment?

24 MS. HANSEN: Yes, sir. Mr. Benjamin

1 Kidder, who is a Debt Manager with the Bureau of  
2 Treasury from the Board of Education, has asked to  
3 address the meeting.

4 TRUSTEE JOHNSON: Mr. Kidder, you can  
5 address the Board. I would just tell you not to  
6 keep it brief but just to keep time constraints  
7 understandable and keep it relevant for what we are  
8 here for today. Go ahead, Mr. Kidder.

9 MR. KIDDER: Thank you. I am Ben Kidder.  
10 I am the Debt Manager for Chicago Public Schools.

11 I am addressing this meeting today  
12 because I wanted to run for the Board of MEABF in  
13 the upcoming election.

14 I have been informed that under the  
15 statute I am too high ranking an employee to  
16 qualify.

17 I am not here today to contest that  
18 decision because I understand that for the elected  
19 positions you wouldn't want senior management  
20 serving in those roles and you have to draw the  
21 line somewhere.

22 When I was filing to run, I thought the  
23 wording of the statute was ambiguous as it applies  
24 to me because I am not appointed by the Board and I

1 also have no employees reporting to me so it was  
2 kind of ambiguous, but I understand there is an  
3 argument for drawing the line below me.

4           What I think I would like to do -- the  
5 issue that I see is that the statute as it is  
6 written was written in the 80's. It appears to use  
7 terminology that doesn't really square up very well  
8 with the terminology used by CPS in its system of  
9 classifications of employees. It seems to be  
10 written with the City of Chicago in mind.

11           I think it would be nice to clarify that  
12 at some point because a lot of employees at CPS  
13 don't seem to understand clearly who is and who is  
14 not eligible for a position like this.

15           But the other reason I wanted to run and  
16 I wanted to address with you today is my primary  
17 concern is the lack of representation from CPS on  
18 the Board. I have been informed that no other CPS  
19 employee besides me wanted to run. Now for the  
20 third or fourth year in a row all five members of  
21 the Board will be City of Chicago employees in one  
22 form or another.

23           I do think that is a problem because CPS  
24 employees are now 57 percent of the active members

1 and we contribute a significant portion of our  
2 salaries and now the CPS as an entity is  
3 contributing an increasing portion of the employer  
4 contributions in terms of like a significant hit on  
5 its budget.

6 So all of those suggest that there should  
7 be at least some representation on the Board in  
8 order to insure that the CPS interests are  
9 represented.

10 I am just telling you that what I would  
11 like to see is a revisitation of the state statute  
12 that would more formally incorporate membership of  
13 CPS on the Board. For instance, perhaps reserve  
14 seats for CPS members in an elected position and  
15 perhaps an ex officio appointee like they currently  
16 do with the two City appointees.

17 I am just letting you know that is a  
18 concern for me, that is a concern for people, and  
19 that is something I would like to see going forward  
20 since these two institutions share this Fund.

21 MS. BURNS: Trustee Johnson, if I may, as  
22 counsel for the Board and the Fund. Thank you, Mr.  
23 Kidder. Those are extremely helpful and poignant  
24 comments.

1                   Unfortunately, as you probably know  
2                   because I understand you have some legal  
3                   background, the Pension Code is obviously a  
4                   document that is drafted by the legislature and the  
5                   Pension Fund and the Trustees that you see on the  
6                   screen around you merely administer what the  
7                   legislature determines to be the law for the  
8                   Pension Fund.

9                   So while we take your comments to heart,  
10                  and I know the trustees will feel the same way and  
11                  they are more than willing and want adequate  
12                  representation from the various members of the  
13                  Fund, we are going to have to do that in a process  
14                  through our legislative lobbyists and sort of work  
15                  on that over time.

16                  That being said, I can tell you that in  
17                  the past we have had members of the CPS on this  
18                  Board and so we would encourage you and ask you to  
19                  work with us to make sure that when an election  
20                  comes up that we do whatever it takes to educate  
21                  your CPS members and encourage them to participate  
22                  in future elections. We are happy to do that.

23                  I know the Board has been very interested  
24                  in making sure there is the most robust



1 representation on this Board that it can get.

2 So we appreciate your comments and we  
3 would ask you to stay tuned because we will  
4 follow-up with what your suggestions are.

5 MR. KIDDER: Thank you, I appreciate the  
6 opportunity.

7 MS. BURNS: Can we confirm then that you  
8 are withdrawing your candidacy for the Board, based  
9 on information you have been provided pursuant to  
10 Section 8-193 of the Pension Code?

11 MR. KIDDER: It was my understanding that  
12 you were going to formally act to say like you are  
13 not qualified.

14 MS. BURNS: I never want the Board to  
15 take an action, which you as a lawyer can  
16 understand, if they don't have to.

17 So if you are withdrawing your candidacy  
18 because you have acknowledged as you have in your  
19 public comments that you are not eligible, then  
20 they will rely on that because it is your decision.  
21 If you want the Board to make a decision, then of  
22 course we can proceed.

23 MR. KIDDER: I will be a team player,  
24 that's fine. I will withdraw the candidacy, that's

1 fine.

2 As I mentioned I would like to see some  
3 sort of action by the legislature to formally  
4 incorporate CPS into the future.

5 MS. BURNS: We appreciate that. Again,  
6 we will make sure that we keep in communication to  
7 the best we can because maybe you would like to be  
8 involved in some of the meetings where we are going  
9 to discuss that. We always have public meetings  
10 but we would be happy to make sure we communicate  
11 with you as the Board looks at that issue in the  
12 year to come.

13 But, members of the Board, now that Mr.  
14 Kidder has indicated that he is withdrawing his  
15 candidacy, I think that shortens the purpose of  
16 this meeting. Maybe with your permission we will  
17 specify for the record that Mr. Kidder has  
18 withdrawn his candidacy for the Pension Fund  
19 election at this time for this election given the  
20 rules in Section 8-193 of the Pension Code.

21 And thus all that would remain is to  
22 inform the Board that two other candidates have  
23 applied for the position of trustee. Both of those  
24 candidates have been vetted by staff in terms of

1 eligibility and Stacey has concluded that they are  
2 eligible and that they provided the requisite  
3 numbers of signatures as required by your rules.

4 Thus, I think all we would need before  
5 adjourning is a motion to approve the ballot to be  
6 printed consistent with the Election Rules showing  
7 Tim Guest and Trustee Thompson on the ballot.

8 TRUSTEE CONYEARS-ERVIN: Before we do  
9 that, since this is an official meeting, I just  
10 want to clarify something. And, thank you, Mr.  
11 Kidder for your statement, your testimony, and I  
12 can appreciate the desire for representation so  
13 that leads me to my question or point.

14 I guess I am a little confused with the  
15 statement to amend the state law to include CPS  
16 because currently -- say, for instance, if another  
17 CPS employee besides you, that was non-exempt,  
18 applied to run for this position, they could have.

19 MS. BURNS: Yes, ma'am. Madam Treasurer,  
20 I think what Mr. Kidder was stating was that the  
21 statute uses words like Civil Service  
22 classifications and it references antiquated  
23 procedures that the City no longer follows.

24 When the Pension Code was amended in

1 1980, it didn't take out the language that no  
2 longer applied. It just added reference to the  
3 Personnel Ordinance, which is what governs City  
4 employees, and it really made no reference to the  
5 Board of Education.

6 So what Mr. Kidder is I think suggesting  
7 is that maybe there be clarification that whatever  
8 the employer uses for classification of employees  
9 will control. Right now the statute is limited to  
10 City. It doesn't really reference Board of  
11 Education.

12 I will tell you, as I mentioned to Mr.  
13 Kidder, that the MEABF has always interpreted that  
14 Chicago Public Schools, CPS, to be included in the  
15 definition of City. Does that make sense?

16 TRUSTEE CONYEARS-ERVIN: I understand  
17 clearly. Thank you. Thank you, Mr. Kidder.

18 TRUSTEE JOHNSON: Let me say to Mr.  
19 Kidder, I appreciate you wanting to get involved  
20 and I think you should follow-up and continue to  
21 follow that path of being involved with your  
22 Pension Fund in your future.

23 Mary Pat, where are we at now?

24 MS. BURNS: I think all we need is a

1 motion to approve the ballot as represented by your  
2 staff at the MEABF so that Stacey can get it  
3 printed in accordance with the Election Rules and  
4 that ballot would indicate the two candidates for  
5 the position.

6 TRUSTEE JOHNSON: Do I have a motion for  
7 the two confirmed candidates that meet the  
8 eligibility requirements of Section 8-193 of the  
9 Pension Code?

10 TRUSTEE MCMAHON: Motion by McMahon.

11 TRUSTEE CONYEARS-ERVIN: Second.

12 TRUSTEE JOHNSON: Motion by Trustee  
13 McMahon. Seconded by Treasurer Conyears-Ervin.

14 Donna, please call the roll.

15 MS. HANSEN: Madam Treasurer.

16 TRUSTEE CONYEARS-ERVIN: Yes.

17 MS. HANSEN: Trustee Johnson.

18 TRUSTEE JOHNSON: Yes, ma'am.

19 MS. HANSEN: Trustee McMahon.

20 TRUSTEE MCMAHON: Yes.

21 TRUSTEE JOHNSON: Thank you, very much.

22 Seeing there is nothing else on the  
23 agenda, do I have a motion to adjourn?

24 TRUSTEE MCMAHON: Motion to adjourn.

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TRUSTEE CONYEARS-ERVIN: Second.

TRUSTEE JOHNSON: Motion and second.

Roll call vote.

MS. HANSEN: Madam Treasurer.

TRUSTEE CONYEARS-ERVIN: Yes.

MS. HANSEN: Trustee Johnson.

TRUSTEE JOHNSON: Yes, ma'am.

MS. HANSEN: Trustee McMahan.

TRUSTEE MCMAHON: Yes.

(WHICH WERE ALL THE PROCEEDINGS  
IN THE ABOVE-ENTITLED MEETING  
AT THIS DATE AND TIME.)



|          |  |          |  |          |  |          |  |          |  |          |                        |          |  |          |                          |          |               |          |               |          |                                   |          |   |          |                    |          |  |   |   |   |  |   |
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