



City of Austin Police Retirement System

Minutes of the Regular Meeting
Wednesday, January 20, 2010 at 11:30 a.m.
Kendall Thomas, Chesley Wood, Bldg.
2520 South I.H. 35, Ste. 100
Austin Police Pension Office

Trustees Present

Peter Morin, Chair
Chesley Wood
Art Alfaro
Tim Atkinson
John Ross
Fred Fletcher, V-Chair
Jeff Knodel
Cathy Haggerty
Kendall Thomas
Mike Jung

Trustees Absent

Randi Shade

Staff/Guests

Sampson Jordan, CEO
Vernon Webb, FM
Stephanie Willie, PA
Michelle Ruland, BS
Bob May, EA
Robert Klausner, Atty.
Joe Meals, CSG

Peter Morin, Chair, called the Board to order at 11:30 a.m.

Oath of Office for Two Actives, One Retiree Elected Members

A. Mike Jung, Tim Atkinson, Kendall Thomas

Sampson Jordan, Chief Executive Officer, reported the Oath of Office for newly elected police member trustees Mike Jung and Tim Atkinson and elected retiree member Kendall Thomas were in the packet and ready to be executed. Shortly thereafter, Sampson Jordan, CEO administered the Oath of Office and Statement of Elected Officers Oath. **No action required by the Board.**

Minutes of the Regular Board Meeting held December 17, 2009

Peter Morin, Chair, reported the December 17, 2009, Regular Board Meeting Minutes as written in trustee packets, was up for discussion and approval. Not hearing any discussion Peter asked for a motion to approve the minutes. **Catherine Haggerty made motion to approve the minutes of December 17, 2009 as written in the trustee packets. John Ross seconded the motion.**

New Retired Members December 2009

Peter Morin, Chair, reported the New Retired Members for December 2009, as written in trustee packets, were up for discussion and approval. Not hearing any discussion, Peter asked for a motion of approval. **Catherine Haggerty made motion to approve the New Retired Members for December 2009 as written in the trustee packets. John Ross seconded the motion.**

NAME	OPTION	RETIREMENT DATE	YRS./MOS. SERVICE	AGE
Tim Smith	R-PROP/Life	12/31/2009	32 yrs. 3 mos.	52 yrs. 5 mos.
Randall Milstead	R/Option I	12/31/2009	25 Yrs. 11 mos.	55 yrs. 6 mos.
Karen S. Duncan	R/Life	12/31/2009	28 Yrs. 11 mos.	56 Yrs. 1 mos.
Randall Pasley	R-PROP/Option II	12/31/2009	28 yrs. 2 mos.	50 Yrs. 3 mos.

Life = Life Only Annuity
 I = 100% Joint & Survivor
 II = 50% Joint & Survivor
 III = 66 2/3% Last Survivor
 IV = Joint & 66 2/3% Last Survivor
 V = 15 Year Certain & Life
 R = Retro DROP Lump Sum Distribution
 RP = Retro DROP Lump Sum to PROP
 FWD = Forward DROP Monthly Annuity
 PROP = Post Retirement Option Plan
 QDRO = Qualified Domestic Relations Order

PROP Disbursements for December 2009

Peter Morin, Chair, reported the PROP Disbursements for December 2009, as written in trustee packets, were up for discussion and approval. Not hearing any discussion, Peter asked for a motion of approval. **Catherine Haggerty made motion to approve the PROP Disbursements for December 2009 as written in the trustee packets. John Ross seconded the motion.**

NAME	DISBURSEMENT AMOUNT	DATE	AGE AT RETIREMENT	AGE AT DISBURSEMENT	ACCOUNT BALANCE
James Pendergrass	N/A	12/31/2009	57 yrs. 8 mos.	58 yrs. 8 mos.	N/A
Travis McDonald	N/A	12/31/2009	55 yrs. 7 mos.	59 yrs. 5 mos.	N/A

PROP Monthly Annuity Deferral for January 2010

Peter Morin, APRS Chair reported there were not any PROP Monthly Annuity Deferral Changes for January 2010 as written in trustee packets, and therefore no action was necessary for this agenda item. **No action required by the motion.**

Service Credit Purchases for December 2009

Peter Morin, APRS Chair reported the Service Credit Purchases for December 2009 as written in trustee packets, were up for discussion and approval. Not hearing any discussion, Peter asked for a motion of approval. **Catherine Haggerty made motion to approve the December 2009 Service Credit Purchases as written in the trustee packet. John Ross seconded the motion.**

NAME	SERVICE CREDIT PURCHASED	DATE	AMOUNT
Joy Gamble	6 mos. Cadet Service	12/7/2009	N/A
Patrolen Briggs	5 mos. Cadet Service	12/14/2009	N/A
Tyson Setzler	12 Mos. Military Service	12/14/2009	N/A

Refunds of Contributions for 4th Quarter, October-December 2009

Peter Morin, Chair reported the Refund of Contributions for 4th Quarter, October-December 2009 as written in trustee packets, were up for discussion and approval. Not hearing any discussion, Peter asked for a motion of approval. **Catherine Haggerty made motion to approve the Refunds of Contributions for 4th Quarter October-December 2009. John Ross seconded the motion.**

NAME	DATE OF TERMINATION	REFUND AMOUNT	DATE REFUNDED
Daniel Rivera	10/01/2009	N/A	10/23/09
Jesus Chavez	12/21/2009	N/A	10/23/09
Clyde Eilers	12/30/2009	N/A	12/30/09

Chair Election by Board Members

Sampson Jordan, CEO presented letter to the Trustees reporting the current APRS Chair's position held by Peter Morin had expired and appointment (election) by the sitting Trustees was required by pension statute 6243n-1.

Thereby, Sampson asked Trustees for nominations to fill the Chair position, whose term would expire on December 31, 2011, to be placed before the Board in a Trustee election.

Tim Atkinson made a motion to place Peter Morin's name in nomination to be Chair of the Board of Trustees for the Austin Police Retirement System. John Ross seconded the motion.

Sampson asked if there were any other nominations to place before the Board in consideration for the Chair's position, if not then a motion to cease the nomination needs to be made.

Kendall Thomas made a motion to cease nominations for the Chair position of the Austin Police Retirement System. Mike Jung seconded the motion. The Board approved by acclamation Peter Morin as Chair of the Austin Police Retirement System.

Vice Chair Election by Board Members

Sampson Jordan, CEO presented letter to the Trustees reporting the current Vice Chair's position held by Fred Fletcher had expired and an appointment (election) by the sitting Trustees was required by pension statute 6243n-1.

Thereby, Peter Morin Chair asked Trustees for nominations to fill the Vice Chair position, whose term would expire on December 31, 2011, to be placed before the Board in a Trustee election.

Kendall Thomas made a motion to place Fred Fletcher's name in nomination to be Vice Chair of the Board of Trustees for the Austin Police Retirement System. John Ross seconded the motion.

Pete asked if there were any other nominations for Vice-Chair, hearing none three times he closed nominations. The Board approved by acclamation Fred Fletcher as Vice-Chair of the Austin Police Retirement System.

Committee Assignments

A. Goals and Objectives Committee

Sampson Jordan, CEO presented letter to APRS Chair, Peter Morin stating Chair and Vice Chair of the Goals & Objective Committee and its members needed to be appointed to serve two year term, with the election of Board Officers.

The previous 'Committee' consisted of Chair, Sean Mannix, Vice Chair Catherine Haggerty and members Fred Fletcher, Mike Jung and Peter Morin with John Ross and Kendall Thomas serving as alternates.

Peter Morin, Board Chair appointed Catherine Haggerty as Chair, Tim Atkinson Vice-Chair and Fred Fletcher, Mike Jung and himself as 'Committee' members, with Kendall Thomas and John Ross serving as alternates to the 'Committee' if needed, in absence of anyone of the original members. No Action Required by Board.

B. Investment Committee

Sampson Jordan, CEO presented letter to APRS Chair, Peter Morin stating Chair and Vice Chair of the Investment Committee and its members needed to be appointed to serve a two year term, with the election of Board Officers.

The previous 'Committee' consisted of Chair, Kendall Thomas, Vice Chair Mike Jung and members Peter Morin, Chesley Wood and John Ross with Fred Fletcher, Catherine Haggerty and Art Alfaro serving as alternates.

Peter Morin, Board Chair appointed Kendall Thomas as Chair, Mike Jung Vice-Chair and Chesley Wood, John Ross and himself as 'Committee' members, with Fred Fletcher, Art Alfaro and Catherine Haggerty serving as alternates to the 'Committee' if needed, in absence of anyone of the original members. **No Action Required by Board.**

C. Disability Committee

Sampson Jordan, CEO presented letter to APRS Chair Peter Morin stating Chair and Vice Chair of the Disability Committee and its members needed to be appointed to serve a two year term, with the election of Board Officers.

The previous 'Committee' consisted of Chair, John Ross, Vice Chair Catherine Haggerty and members Fred Fletcher, Michael Jung and Sean Mannix with Peter Morin and Kendall Thomas serving as alternates.

Peter Morin, Board Chair, appointed John Ross as Chair, Catherine Haggerty as Vice Chair and Fred Fletcher, Mike Jung and Tim Atkinson as 'Committee' members with Peter Morin and Kendall Thomas serving as alternates to the 'Committee' if needed, in absence of anyone of the original members. **No Action Required by Board.**

D. Checking Account Authorized Signatories

Sampson Jordan, CEO presented letter to the APRS Chair Peter Morin the Austin Police Retirement System "Checking Account" at JP Morgan Chase needed to have the signatories updated, to reflect the election of Board Officers and alternates in their absences. He reported the Chair has the responsibility of appointing the two alternates to act in the absence of the Board Officers and currently Kendall Thomas and John Ross serve in this capacity.

Peter Morin, Chair stated he would re-appoint Kendall Thomas and John Ross as alternates to the Chair and Vice Chair on the said account as signatories to the JP Morgan Chase Bank "Checking Account", since they are current Trustees to the APRS Board and fiduciaries to the 'System'. **No Action Required by Board.**

Disability Committee Meeting, January 20, 2010

A. Disability Application for Adam Adams

John Ross, Disability Committee Chair, reported the 'Committee' met on Wednesday, January 20, 2010 at 11:30 a.m. to discuss continuing disability benefits for Adam Adams. John reported after a review of the member's application and medical evaluation the 'Committee' **unanimously recommended** continuing his disability benefits. **Art Alfaro made a motion to approve continuing disability benefits for Adam Adams as recommended by the Disability Committee. Catherine Haggerty seconded the motion.**

B. Continuing Disability for Lyndon Lueders

John Ross, Disability Committee Chair, reported the 'Committee' met on Wednesday, January 20, 2010 at 11:30 a.m. to discuss continuing disability benefits for Lyndon Lueders. John reported after a review of the member's application and his employment earning 'ability' the 'Committee' recommended Lyndon's disability benefits be reduced by 50% in accordance with Section 7.03(c)(1)(B) of the Plan (Article 6243n-1, Texas Civil Statutes).

This provision states that if a member who has been on disability for a period in excess of 2 ½ years is able to earn between one-half as much money and as much money in the member's new job as was earned as a police officer, then the benefit shall be reduced to one-half of its original amount. The 'Committee' also requested Lyndon Lueders attend the May 19, 2010 and bring proof of income for the year ending December 31, 2009 by providing a copy of 2009 Federal Income Tax return and the progress of work capability in 2010. Kendall Thomas made a motion to reduce the disability benefits for Lyndon Lueders by 50% as recommended by the Disability Committee and in accordance to the APRS statute 6243n-1, Section 7.03 © (1) (B). Mike Jung seconded the motion.

C. Disability Application for Mike Guerra

John Ross, Disability Committee Chair, reported the 'Committee' tabled any discussion Wednesday, January 20, 2010 at 11:30 a.m. regarding Mike Guerra's medical evaluation, because it had not been released to the Austin Police Retirement System by Dr. Hummer. No action required by the Board.

Investment Committee Meeting, January 20, 2010

A. Manager Monthly & YTD Performance Report

Kendall Thomas, Investment Chair introduced Joe Meals at Consulting Services Group, Inc. who made presentation before the 'Committee' at 9:00 a.m., January 20, 2010 on manager performances, accruals and unrealized gains as of December 31, 2009.

Joe reported at December 31, 2009 the Austin Police Retirement System total Market Value was \$441,648,767 (unaudited). The 'Market Value and Returns Summary' showed the December total fund composite return was up 0.9% Current Month, 1.5% Current Quarter, 12.0% Trailing 1 year, -3.1% Trailing 3 Years and 4.1% Trailing 5 Years. The handouts also showed the portfolio Asset Allocation was 60% Market Dependant (Equity-US, International & Emerging Markets of 37% and Fixed Income-Cash, Core US Bonds, Mezzanine Loans & Private Loans of 23%) and 40% Alternative Investments (Hedge Funds-3%, Private Real Estate-19%, Timber-11%, Private Equity-5% and Natural Resources-2%). The equity manager performances year to date were up 37.0%, while the broader S&P 500 index was 26.5%; fixed income manager performances were 24.8%, while the JPM EMBI Global Diversified index were 29.8%, Barclays Aggregate Bond Index were 18.7%; real estate and timber manager performances were down -13.0%; alternative investments in private equity and hedge funds were up 10.2%. In summary Joe reported equities were up 2.2%, fixed income were up 1.6%, real estate and timber was down -0.6%, alternatives up in private equity and hedge funds at 0.2%.

In summary Joe reported the real estate portfolio has two managers CB Richard Ellis Fund V and Sentinel RE Fund IV requesting commitment

and term period extensions, due to investor liquidity problems in purchasing and selling property. The real estate portfolio will see additional market valuation losses posted for the 4th quarter. The SMH Capital Advisors high yield bond fund had an exceptional year at 74.2% return and Hoisington Investment Management Company Treasury bond fund had a tough year at -22.4%, by betting on declining interest rates. In closing he reported some economist believe the emerging markets will lead the economy out of the recession in 2010 or 2011. **No action required by the Board.**

Joe Meals, CSG consultant recommended the Investment Committee bring real estate portfolio managers in during 2010 that are restructuring and/or need operational expense funds, as noted by Cynthia Steer, managing director at RogersCasey and Rob Kochis, principal at The Townsend Group during teleconferencing on January 20, 2010. **No action required by the Board.**

B. Clinton 'Equity & Multi-Strategy' Hedge Fund Performance

Kendall Thomas, Investment Chair introduced Joe Meals at Consulting Services Group, Inc. who reported on the Clinton manager presentation made before the 'Committee' by Scott Arnold, Robert Wenzel and Georg Hall managing partners at 9:30 a.m., January 20, 2010 on 'Equity & Multi-Strategy' hedge fund performance as of December 31, 2009.

Joe reported the Clinton 'Multi-Strategy' hedge fund was up 54.3% and the 'Equity' long/short fund was up 12.7% as of December 31, 2009 year to date. The multi-strategy hedge fund return was made as the government stimulus; and bailouts hit the market which in turn improved recovery values (default rates) in CMBS, RMBS, Autos, Student Loans and Credit Cards through the use of TALF, PIPP and other government sponsored programs. These improving default rates should carry over into the 2010 year, but at a more modest return rate.

The 'Equity' strategy fund in 2010 is estimated to be slightly modest in the high single digit or low double digit return rate, as it did in 2009 at 12% return. The equity strategy is traded in many of the largest global markets, but held in these four equity strategies, US large cap, US mid cap, Europe/UK and Asia Pacific equities.

In summary Joe reported CSG will continue to monitor both hedge fund strategies (equity and multi-strategy) in the next few months, but at this time recommends the Board take no action. This was the same recommendation he made to the Investment Committee. **No action taken by the Board.**

C. Landbaron RE Management Fee

Kendall Thomas, Investment Chair introduced Joe Meals at Consulting Services Group, Inc. who reported on Landbaron RE 1st Amendment to the Limited Partnership Agreement that provides quarterly manager fee to Landbaron, while it waits on the real estate market to rebound from the most severe recession, since the 30's great depression.

Joe reported the Landbaron business model was severely hurt during this recessionary downturn, due to liquidity problems in the banking industry when it shut down lending to real estate developers. The severity of this recession was never expected by anyone and the

company took action to cut back staff and salaries and expenses. The company management still has the skill and expertise to manage this investment, therefore he recommended the Board approve paying 25 bps of book value of assets under management paid quarterly in advance and these management fees shall carry and be deducted from Manager's profit participation in proceeds from future sales. This was the same recommendation he made to the Investment Committee. **Chesley Wood made a motion to approve the payment of 25 bps quarterly in advance on the book value of assets under management with the management fees carrying and deducted from the Manager's profit participation in proceeds from future sales, as recommended by Joe Meals, investment consultant. John Ross seconded the motion.**

D. Investment Rebalancing and Reallocation

Kendall Thomas, APRS Investment Chair reported Joe Meals investment consultant at Consulting Services Group who reported to the 'Committee' there were not any recommendation to rebalance or make any other asset allocation changes to the fund portfolio due liquidity issues and lack of investment opportunities they recommended at this time. **No action required by the Board.**

Kendall Thomas, Investment Chair introduced Joe Meals at Consulting Services Group, Inc. who reported on request by CBRE Fund 5 'Investment Period Extension'. Joe reported this extension agreement request would provide CBRE 'good investment manager' the opportunity to purchase distressed properties using investment Fund 5 committed prior to the recession, but held back while waiting for the liquidity banking crisis to subside. Joe recommended the Board vote no on this extension, unless it provides for fee reduction and/or declaration not to extend maturity date. **Chesley Wood made a motion to approve Joe Meals recommendation to vote no, on CBRE Fund 5 'investment period extension' unless it provides for fee reduction and/or declaration not to extend maturity date. Catherine Haggerty seconded the motion.**

Pension Office Report

A. Treasury Report

Sampson Jordan, CEO presented the December 31, 2009 monthly Treasury Report showing total 'APRS' asset value is \$441,657,015.82 (unaudited). This asset value was up \$6,014,540.24 from November 30, 2009 asset valuation \$435,615,475.58 million (unaudited). The total fund investment commitments were \$39,060,146.65 million and consisted \$4,487,820.83 in Mezzanine Loans, \$9,404,600.00 in Value Added Real Estate, \$2,460,513.02 in International Real Estate, \$1,347,520.91 in Opportunistic Real Estate Land Development, \$4,050,000.00 in Timber, \$12,795,140.90 in Private Equity and \$7,680,000.00 in Special Situation Fund waiting total capital call. The report showed \$26,029,337.00 in cash or cash (treasury notes) equivalent reserves to fund the Investment Policy Statement (IPS) 35% liquidity requirement in the amount of \$21,663,051.33. The IPS required 35% Minimum Public Traded liquidity is in compliance at 36.97%. The IPS 50% Maximum Illiquid Target requirement is in compliance at 49.64% and is well within the 60% maximum range. **No action required by the Board.**

Sampson went on to report the Administrative Expenses paid year to date December 31, 2009 of \$784,295 after subtracting proportionate

contribution and rent income (unaudited) was inline with projections made in the February 2009 budget of \$781,450.00. The Police Building tenant lease revenues and expenses paid year to date December 31, 2009 produced a net income of \$72,023.39 (unaudited) or 10.54% return on investment. The Investment Expenses paid year to date December 31, 2009 of \$1,768,471.04 (unaudited) was inline with projections made in the February 2009 budget of \$2,292,000.00. **No action required by the Board.**

B. Aqushen Corporation 'Subtenant' Agreements

Sampson Jordan, CEO presented letter to the Board of Trustees reporting Aqushen Corporation in suite 200 subleased two offices in his lease space to PARA Healthcare Financial Services and Dedicated Medical Transportation, until Aqushen was able to collect outstanding business receivables or until the lease expires in 21 month lease. **The Board approved by acclamation Aqushen, LLC in Suite 200, subtenant leases PARA Healthcare Financial Services and Dedicated Medical Transportation, until receivables were collected or until lease expires in 21 months.**

C. 2010 TEXPERS Members Meeting

Sampson Jordan, CEO presented to the Board of Trustees the 2010 Texas Public Employee Retirement System (TEXPERS) Delegates Certification form, which needs to be submitted along with the 'APRS' attendee registration for the April 10-14 conference meeting to be held in Galveston, Texas. **The Board approved by acclamation to name Kendall Thomas, Peter Morin, John Ross and Chesley Wood as delegates with Tim Atkinson, Fred Fletcher, Catherine Haggerty and Mike Jung serving as alternates to the TEXPERS Conference.**

D. 2010 Regular Monthly Scheduled Board Meetings

Sampson Jordan, CEO presented these dates for the Year 2010 Regular Board Meetings.

Wednesday, February 17, 2010
Wednesday, March 17, 2010
Wednesday, April 21, 2010
Wednesday, May 19, 2010
Wednesday, June 16, 2010
Wednesday, July 21, 2010
Wednesday, August 18, 2010
Wednesday, September 15, 2010
Wednesday, October 20, 2010
Wednesday, November 17, 2010
Wednesday, December 15, 2010

*Regular Board meeting begins approximately at 11:30 a.m.

The Board approved by acclamation to accept these dates and times for holding the monthly Regular Board Meetings. An itinerary will be mailed prior to each meeting confirming date and time of meeting.

E. 2010 Monthly Investment Meetings

Sampson Jordan, CEO presented the following dates for the Year 2010 Investment Committee Meetings.

Wednesday, February 17, 2010
Wednesday, March 17, 2010
Wednesday, April 21, 2010
Wednesday, May 19, 2010
Wednesday, June 16, 2010
Wednesday, July 21, 2010
Wednesday, August 18, 2010
Wednesday, September 15, 2010
Wednesday, October 20, 2010
Wednesday, November 17, 2010
Wednesday, December 15, 2010

*Investment Committee meeting begins approximately at 9:00 a.m.

The Board approved by acclamation to accept these dates and times for holding the monthly Investment Committee Meetings. An itinerary will be mailed prior to each meeting confirming date and time of meeting.

F. 2009 Annual Transactions (Retirements, Refunds, DROPS & PROPS)

Sampson Jordan, CEO presented the following reports;

- Retirements in the year 2009. His report showed there were forty-five (45) members who retired in calendar year 2009, which increased monthly payroll by \$263,836.63 (unaudited),
- Contributions refunded in 2009. His report showed there were eighteen (18) refunds paid in the amount of \$594,592.08 (unaudited) in the year 2009,
- DROP Retirement Option Plan account distributions in 2009. His report showed there was ten (10) DROP distributions paid in the amount of \$840,372.83 (unaudited) in the year 2009,
- DROP Retirement Option Plan account rollovers to Post Retirement Option Plan (PROP) in 2009. His report showed there was twenty six (26) DROP accounts posted to the PROP account in the amount of \$4,013,841.66 (unaudited) in the year 2009,
- Post Retirement Option Plan (PROP) Distributions in 2009. His report showed there were seventeen (17) members who took distributions from their PROP accounts in the amount of \$531,262.82 (unaudited),
- Forward DROP Retirement Option Plan (FWD) accounts in 2009. His report showed there were two (2) new active members enrolled in the Forward Deferred Retirement Option Plan (FWD) in 2009 and there were nine (9) FWD accounts in the amount of \$1,237,269.98 (unaudited) at year-end 2009,
- Monthly Annuity Deferral Post Retirement Option Plan (PROP) accounts in 2009. His report showed there were thirty (30) retired members who deferred all or a portion of their monthly annuity into the Post Retirement Option Plan (PROP) during 2009 in the amount of \$52,200.01 (unaudited) per month. **No action required by the Board.**

G. Pension Review Newsletter Topics

Sampson Jordan, CEO presented the following topics as submitted by Michelle Ruland, Benefit Specialist on proposals for the 'Pension Review' Winter Newsletter, (see below). After review and discussion,

Pete Morin, Chair recommended adding article on Post Retirement Option Program (PROP), Chesley Wood recommended article on Board members (4) receiving certificates from TEXPERS on 'Certified Trustee Training Program' completion and the Board recommended adding article on E-communication to save money.

- 2010 Retiree Tax Withholding Changes
- Meet the APRS Board of Trustees
- Report on 3rd & 4th Quarter Retirements in 2009
- 2009 Year End Performance Report
- Report on 3rd & 4th Quarter Retiree Deaths in 2009
- Notice on Retiree COLA and Interest on Vested Member Contributions
- Notice to Keep Pension Office Updated on Address Changes
- Updating Designated Beneficiary Forms at City & Pension Office
- Engagement of Actuary and Auditor for 2009 Year End
- Service Purchases available to Active Members
- 2010 Schedule of Regular Meetings

The Board agreed by acclamation to approve the topics presented by Sampson Jordan, CEO and additional ones recommended by Pete Morin and Chesley Wood for publishing in the Winter Edition of the Pension Review newsletter.

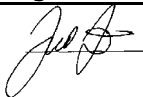
H. Lead Plaintiff Filing 'SunPower, Inc'.

Sampson Jordan, CEO presented letter regarding the recommendation by APRS attorney, Bob Klausner and Berman DeValerio security litigation counsel that APRS file as lead plaintiff in SunPower, Inc. class action lawsuit. Both Bob Klausner and Berman DeValerio recommend filing as lead plaintiff, because APRS incurred loss in excess of \$428 thousand on this investment, after SunPower management released acknowledgement that 'unsubstantiated accounting entries related to cost of goods sold in the Philippines office'. In addition Sampson presented agreement of legal services to be provided by Berman DeValerio on contingency fee, not to exceed 25% of the gross recovery. Fred Fletcher made a motion to authorize Chief Executive Officer Sampson Jordan file on behalf of Austin Police Retirement System as lead plaintiff in the SunPower, Inc. class action lawsuit and APRS approve the legal services agreement as presented. Catherine Haggerty seconded the motion.

Old/New Business

Rudd & Wisdom, Inc Cola Comparison-This item was tabled for discussion to future date, due to lack of quorum. No action required by the Board.

Adjournment



Fred Fletcher, Vice Chair