

REIMER & DOBROVOLNY PC

A PUBLIC SAFETY LAW FIRM



RICHARD J. REIMER
JAMES L. DOBROVOLNY
BRIAN J. LABARDI
STEVEN KNIGHT

15 SPINNING WHEEL ROAD, SUITE 310, HINSDALE, ILLINOIS 60521
(630) 654-9547 (630) 654-9676 FAX
WWW.RDLABORLAWPC.COM

306 W. GREEN STREET
URBANA, ILLINOIS, 61801
217-344-2376

CHRIS W. POTTHOFF, JR.
MARK S. MCQUEARY

840 S. SPRING STREET, SUITE D
SPRINGFIELD, ILLINOIS 62704

September 11, 2018

Recvd 9-12-18

Honorable Chet Olson, Mayor
City of Rochelle
420 N. 6th St.
P.O. Box 601
Rochelle, IL 61068

Copy: Jeff F.
Sue M.
Eric H.
Chris C.
FYI
Chet

By Certified Return Receipt Mail

Re: Rochelle Police Pension Fund-Annual Tax Levy Requirements

Dear Mayor Olson:

Please be advised that the undersigned is legal counsel for the Rochelle Police Pension Fund. At the September 4, 2018 meeting, the Pension Board Trustees discussed the annual tax levy/municipal contribution requirements for the Pension Fund for the upcoming tax year. As you are aware, the Pension Board either relies on actuarial valuation performed by the Illinois Department of Insurance or an independent actuary employed by the Pension Board.

In this case, the Pension Board relied upon the Actuarial Valuation of Foster & Foster, an independent actuary retained by the Pension Board, for purposes of determining the "recommended levy". Foster & Foster's recommended levy calculation for the upcoming tax year, in order to satisfy the annual requirements of the Rochelle Police Pension Fund, as required by §5/3-125 of the Pension Code, is \$680,056. A copy of the Foster & Foster report is included for your review.

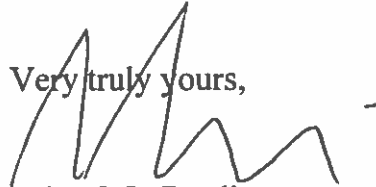
Accordingly, pursuant to §5/3-125 of the Pension Code, the Rochelle Police Pension Board is requesting that the City of Rochelle levy or contribute that amount for the upcoming tax year in order to satisfy the annual requirements of the Rochelle Police Pension Fund. In the event that the City will not be levying or contributing this amount, please advise me.

Finally, the Pension Board wishes to draw your attention to §3-125.1 of the Pension Code and §4402.30 of the Illinois Administrative Code defining salary for pension purposes. Both those authorities refer to pensionable salary as being determined at least in part as that established by the municipality's appropriations ordinance. A

similar conclusion was recently reached by the First District Appellate Court in *Village of Chicago Ridge v. Chicago Ridge Firefighters' Pension Bd. of Trustees*, 2016 IL App (1st) 152089. In light of these authorities, the Pension Board requests the City ensure the appropriate salaries attached to rank for officers covered by Article 3 of the Pension Code are properly reflected in a municipal appropriations ordinance.

Thank you for your anticipated cooperation and assistance in this matter. Please do not hesitate to contact the undersigned should you have any questions concerning this matter.

Very truly yours,



Brian J. LaBardi

cc: Detective Terry Inman
Rochelle Police Pension Board