



**Alameda County Employees' Retirement Association
BOARD OF RETIREMENT**

NOTICE and AGENDA*

ACERA MISSION:

To provide ACERA members and employers with flexible, cost-effective, participant-oriented benefits through prudent investment management and superior member services.

**Thursday, December 19, 2013
2 p.m.**

LOCATION	BOARD OF RETIREMENT - MEMBERS	
ACERA C.G. "BUD" QUIST BOARD ROOM 475 14TH STREET, 10TH FLOOR OAKLAND, CALIFORNIA 94612-1900 MAIN LINE: 510.628.3000 FAX: 510.268.9574	DALE AMARAL CHAIR	ELECTED SAFETY
	KEITH CARSON FIRST VICE-CHAIR	APPOINTED
	ELIZABETH ROGERS SECOND VICE-CHAIR	ELECTED GENERAL
	OPHELIA BASGAL	APPOINTED
	ANNETTE CAIN-DARNES	APPOINTED
	GEORGE DEWEY	APPOINTED
	LIZ KOPPENHAVER	ELECTED RETIRED
	DONALD R. WHITE	TREASURER
	GEORGE WOOD	ELECTED GENERAL
	DAVID M. SAFER	ALTERNATE RETIRED
	DARRYL L.WALKER	ALTERNATE SAFETY

Note regarding Accommodations: The Retirement Board will provide reasonable accommodations for persons with special needs who plan to attend Board meetings. Please contact ACERA at 510.628.3000 to arrange for accommodation.

Note regarding Public Records: All writings that are distributed to a majority of members of the ACERA Board of Trustees in connection with a matter subject to discussion at an open meeting of the Board or one of its Committees are public records within the meaning of the California Public Records Act and are available for inspection upon request, unless the writings are privileged or otherwise exempt from disclosure under the provisions of the California Public Records Act. Please contact ACERA at 510.628.3000 to request to inspect documents. Documents will be made available at ACERA, 475 14th Street, Oakland, California.

The order of agendized items is subject to change without notice. Board and Committee agendas and minutes are available online at www.acera.org.

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **REVIEW AND APPROVAL:** Minutes of the Regular Board Meeting:
November 21, 2013
4. **CONSENT CALENDAR:**
 - A. **APPLICATION FOR SERVICE RETIREMENT:**
Appendix A
 - B. **APPLICATION FOR RETIREMENT, DEFERRED:**
Appendix B
Appendix B-1
 - C. **APPLICATION FOR DEFERRED TRANSFER:**
Appendix C
 - D. **LIST OF DECEASED MEMBERS:**
Appendix D
 - E. **REQUESTS FOR 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT:**
Appendix E
 - F. **APPLICATION FOR DISABILITY RETIREMENT–NON CONTESTED ITEMS:**
Appendix F
 - G. **APPLICATION FOR DISABILITY RETIREMENT – HEARING OFFICER RECOMMENDATIONS:**
Appendix G
 - H. **DISABILITY STATUS REPORT:**
 - I. **APPROVAL OF COMMITTEE MINUTES:**

-----End of Consent Calendar-----
(MOTION)

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

5. A. DISABILITIES, CURRENT, RECOMMENDATIONS AND MOTIONS:
(Item(s) will be heard in Closed Executive Session)

None.

B. DISABILITIES, CONTINUING, RECOMMENDATIONS AND MOTIONS:
(Item(s) will be heard in Closed Executive Session)

None.

6. COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS:

A. Operations:

1. Summary and Approval of the Minutes of the December 4, 2013 Meeting.
2. Motion that that the Board affirms ACERA's decision to deny Rosalina Neeley her request to waive employee contributions and interest, if applicable, on the cost of converting her membership from Tier 2 to Tier 1.
3. Motion that the Board approves the addendum to the Keenan & Associates' contract for services related to the Early Retiree Health Exchange Project, with a cost not to exceed \$50,000.
4. Motion that the Board approves the **non-inclusion** of the newly created pay item – Mgmt. Deferred Comp. Prog. – Pay Code 40W in pensionable compensation for a member with an entry date **on or after** January 1, 2013.
5. Motion that the Board approves the **inclusion** of the newly created pay item – Mgmt. Deferred Comp. Prog. – Pay Code 40W in compensation earnable for a member with an entry date **prior** to January 1, 2013.
6. Motion that the Board approves extending the sunset date for pay item – Medical Director BHCSA – Pay Code 40S from October 26, 2013 to April 26, 2014 for members with an entry date **prior** to January 1, 2013.

B. Retirees:

1. Summary and Approval of the Minutes of the December 4, 2013 Meeting.
2. Motion that the Board continues to provide the Medicare Part B Reimbursement Plan (MBRP) benefit to eligible retirees in 2014, and approve the reimbursement based on the lowest standard monthly Medicare Part B premium at the rate of \$104.90. The MBRP benefit is a

non-vested benefit funded by contributions from ACERA Employers to the 401(h) account. After contributions are made, in accordance with the County Employee Retirement Law (CERL), ACERA treats an equal amount of Supplemental Retiree Benefit Reserve (SRBR) assets as employer contributions for pensions.

3. Motion that the Board approves the revised Appendix A of the 401(h) Resolution No. 07-29, which reflects the updated changes approved by the Board of Retirement to the Monthly Medical Allowance (MMA) amounts for Group and Individual plans; and Retiree Health Benefit premiums for Plan Year 2014.

C. Governance:

1. Summary and Approval of the Minutes of the December 4, 2013 Meeting.
2. Motion that the Board finds the content of the ACERA Board Regulations is appropriate and continues to meet the needs of ACERA and should be renewed with revisions as recommended by Staff, and as amended by the Committee.
3. Motion that the Board adopts Government Code, Section 31522.2 of the County Employees' Retirement Law and forward said Section to the Board of Supervisors for their adoption.
4. Motion that the Board finds the content of the Senior Manager Contingency Plan is appropriate and continues to meet the needs of ACERA and should be renewed with revisions as recommended by Staff.
5. Motion that the Board finds the content of the ACERA Membership Policy is appropriate and continues to meet the needs of ACERA and should be renewed with revisions as recommended by Staff.
6. Motion that the Board finds the content of the Service Provider Policy is appropriate and continues to meet the needs of ACERA and should be renewed with revisions as recommended by Staff.
7. Motion that the Board finds the content of the Chief Executive Officer Job Description and Delegation of Authority is appropriate and continues to meet the needs of ACERA and should be renewed without revisions as recommended by Staff.
8. Motion that the Board finds the content of the Chief Executive Officer Annual Performance Evaluation is appropriate and continues to meet the needs of ACERA and should be renewed with revisions as recommended by Staff, and as amended by the Committee.
9. Motion that the Board finds the content of the Board Governance and Policy Development Process is appropriate and continues to meet the

needs of ACERA and should be renewed with revisions as recommended by Staff.

D. Investment:

1. Summary and Approval of the Minutes of the December 19, 2013 Meeting.

7. OLD BUSINESS:

None.

8. NEW BUSINESS:

- A. Chief Executive Officer's Report.

9. CONFERENCE REPORTS/ORAL REPORTS:

10. ANNOUNCEMENTS:

11. PUBLIC INPUT:

12. BOARD INPUT:

13. ESTABLISHMENT OF NEXT MEETING:

Thursday, January 16, 2014 at 2 p.m.

14. ADJOURNMENT INTO CLOSED EXECUTIVE SESSION:

1. Conference with Legal Counsel-Existing Litigation: The Board will convene into Closed Session pursuant to Government Code §54956.9(a) to confer with legal counsel regarding pending litigation in matter of:

- DSA v. ACERA, Case No.: RG12658890

2. Conference with Legal Counsel—Existing Litigation: Government Code Section 54956.9.

- Walker v. Brown, U.S. District Court, Northern District of California, Case No. C13-4261.

3. Pursuant to Government Code Section 54957 to discuss:

- Chief Executive Officer Performance Evaluation

15. RECONVENE INTO OPEN SESSION TO REPORT ON ACTION TAKEN IN CLOSED EXECUTIVE SESSION:

16. OPEN SESSION:

Position: ACERA Chief Executive Officer

- A. Possible Recommendation and Motion to Re: CEO Compensation
- B. Possible Recommendation and Motion to Re: CEO Employment Contract

17. ADJOURNMENT:

**APPENDIX A
APPLICATION FOR SERVICE RETIREMENT**

ALLEN, Kathy A.
Effective: 7/6/2013
Sheriff's Office

LAMB, George
Effective: 6/1/2013
Health Care Services Agency - DEF

BERNSTEIN, Melvin S.
Effective: 8/10/2013
Health Care Services Agency

LEDESMA, Georgianna
Effective: 10/12/2013
Superior Court - DEF

BOYOVICH, Kathleen A.
Effective: 12/29/2012
District Attorney

LEE, Dorothy Laverne
Effective: 9/24/2013
Superior Court

CUEVAS, Susan A.
Effective: 7/6/2013
Probation

LEW, William W.
Effective: 7/1/2013
Health Care Services Agency - DEF

DESBOINE, Jeannette M.
Effective: 8/31/2013
Social Services Agency

LUZ, Bradford R.
Effective: 9/7/2013
Health Care Services Agency - DEF

FLORES-WAX, Remy B.
Effective: 7/1/2013
Alameda Health System - DEF

MENA, Mona F.
Effective: 9/28/2013
Health Care Services Agency

GARCIA, Nina K.
Effective: 7/20/2013
District Attorney

NELSON, Michael J.
Effective: 8/31/2013
General Services Agency

HARBIN, Gail M.
Effective: 10/8/2013
Alameda Health System - DEF

OLEON, Glenn Phillip
Effective: 8/3/2013
Superior Court

ICANBERRY-YOUNG, Doreen Paulette
Effective: 8/3/2013
Superior Court

PITTS, Carol A.
Effective: 8/31/2013
Superior Court

JORDAN, Dennis
Effective: 8/31/2013
Community Development Agency

RAIMONDI, Carole
Effective: 8/1/2013
Superior Court - DEF

KNAPP, Christina L.
Effective: 9/28/2013
Library

VIERRA, Mitchell P.
Effective: 9/14/2013
Child Support Services

LAHOWE, Lisa L.
Effective: 9/14/2013
Social Services Agency

WOLFE, Deborah Marie
Effective: 8/22/2013
Superior Court

**APPENDIX D
LIST OF DECEASED MEMBERS**

ANDERSON, Theresa M.
10/30/2013
Alameda Health System

GULA, John P.
11/11/2013
General Services Agency

ANDERSON, Theresa M.
10/30/2013
Survivor of Frederick J. Anderson

LEBON, Lorraine M.
11/13/2013
Survivor of Alfred P. Lebon

BUSH, Alice
11/5/2013
Survivor of Stanley M. Bush Jr.

LEE, Jean
10/25/2013
Auditor-Controller

COPPOLO, Elmina P.
10/18/2013
Alameda Health System

PIERCY, Merle
11/6/2013
Alameda Health System

COUNTRYMAN, Ralph P.
11/25/2013
District Attorney

REINHART, Norma K.
11/11/2013
Health Care Services Agency

DAZHAN, Besente
11/26/2013
Alameda Health System

SANTOS, Josefa F.
10/23/2013
Alameda Health System

FISCHER, Lloyd E.
11/6/2013
Alameda Health System

TIAHRT, Carol L.
10/21/2013
Survivor of Robert F. Wright

FOGG, Nancy J.
10/30/2013
Information Technology Department

ULLAH, Karen S.
11/17/2013
Social Services Agency

FULLER, Charles J.
11/2/2013
Sheriff's Office

WATERHOUSE, Margaret H.
10/27/2013
Health Care Services Agency

**APPENDIX E
REQUEST FOR 130 BI-WEEKLY PAYMENTS TO
RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT**

EUSEBIO, Diogo P.
Government Code § 31641.1

HEWITT, Teresa L.
Government Code § 31652

**APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT**

Name: **Camarista, Arthur**
Type of Claim: Non-Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Mr. Camarista a non-service connected disability. Since Mr. Camarista is over 55 years old, future annual medical examinations and questionnaires will not be required

Based on Dr. Wagner's review and determination of Mr. Camarista's ability to determine the permanency of his incapacity, to deny Mr. Camarista's request for an earlier effective date.

Approve Mr. Camarista's request to pursue a service connected disability retirement.

Name: **Farmer, Delana**
Type of Claim: Non-Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Ms. Farmer a non-service connected disability. Since Ms. Farmer is over 55 years old, future annual medical examinations and questionnaires will not be required

Based on Dr. Wagner's review and determination of Ms. Farmer's ability to determine the permanency of her incapacity, to deny Ms. Farmer's request for an earlier effective date.

**APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT**

Name: **Lucarelli, Frank**
Type of Claim: Service Connected – Reciprocal Member

Staff's Recommendation:

Approve staff's recommendation to grant Mr. Lucarelli a service connected disability retirement in conjunction with reciprocal agency, California Public Employees' Retirement System (CalPERS) and in accordance with Section 31838.5.

Name: **Powell, James**
Type of Claim: Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Mr. Powell a service connected disability and to not require future annual medical examinations at this time.

Based on Dr. Wagner's review and determination of Mr. Powell's ability to determine the permanency of his incapacity, to deny Mr. Powell's request for an earlier effective date.

Name: **Robbins, Stephanie**
Type of Claim: Non-Service Connected

Staff's Recommendation:

Approve the recommendation contained in Dr. Wagner's report to grant Ms. Robbins a non-service connected disability. Since Ms. Robbins is over 55 years old, future medical examinations will not be required.