



**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 20, 2012
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	GEORGE DEWEY CHAIR	APPOINTED
	DALE AMARAL FIRST VICE-CHAIR	ELECTED SAFETY
	KEITH CARSON SECOND VICE- CHAIR	APPOINTED
	OPHELIA BASGAL	APPOINTED
	ANNETTE CAIN-DARNES	APPOINTED
	LIZ KOPPENHAVER	ELECTED RETIRED
	ELIZABETH ROGERS	ELECTED GENERAL
	DONALD R. WHITE	EX- OFFICIO/ COUNTY TAX COLLECTOR
	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 8, 2012

Minutes of the Special Board Meeting:
December 3, 2012

Minutes of the Special Board Meeting:
December 12, 2012

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:**
None

-----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)

Joubert, Christopher Sr. Information System Specialist Medical Center
Service: 5 Years 0 Months 7 Days
Annual Review of Disability Retirement: Granted SCD: 5/22/2008 Board

6. COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS:

A. Operations:

1. Summary and Approval of the Minutes of the December 5, 2012 Meeting.

B. Retirees:

1. Summary and Approval of the Minutes of the December 5, 2012 Meeting.
2. Motion to continue to provide the Medicare Part B Reimbursement Plan (MBRP) benefit to eligible retirees, and approve an increase to the reimbursement based on the lowest standard monthly Medicare Part B premium at the rate of \$104.90; subject to further review and action to possibly reduce or eliminate this benefit in 2013. 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 to discontinue the Active Death Equity Benefit (ADEB) as a benefit provided by the Supplemental Retiree Benefit Reserve (SRBR).
4. Motion to adopt the continuation and payment of the Retired Member (Lump Sum) Death Benefit on a month-to-month basis for 2013, subject to further review. This benefit is funded by the Supplemental Retiree Benefit Reserve (SRBR) and is a non-vested benefit subject to future reduction or elimination if funds are unavailable.
5. Motion to Approve 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 2013.

C: Investment:

1. Summary and Approval of the Minutes of the December 12, 2012 Meeting.
2. Motion to Adopt the amended changes to the PEARLS Policy excluding: (a) proposed co-investment opportunities as an investment option and (b) proposed increase in staff's existing \$25 million delegated authority to make PEARLS investments.
3. Motion to Adopt the 2013-2014 Investment Plan for ACERA's PEARLS Portfolio.
4. Motion to (a) Consent to Trust Company of the West (TCW) Contract Assignment and (b) approve removal of language in the TCW contract requiring advance written consent of the Board to authorize such assignment of contract and approve ACERA to authorize such contract assignment in the future.

D. Governance:

1. Summary and Approval of the Minutes of the December 12, 2012 Meeting.
2. Motion to renew, with revisions, the ACERA Membership Policy.
3. Motion to renew, with revisions, the Trustee Education Policy.
4. Motion to renew, with revisions, the Record Retention Policy and Schedule.
5. Motion to renew, with revisions, the Retiree Payroll Deduction and Assignment of Benefit Policy.
6. Motion to renew, without revisions, the Trustee Communications Policy.

7. OLD BUSINESS:

8. NEW BUSINESS:

- A. Discussion and Possible Motion Regarding Staff's Recommendations to Board Concerning Implementation of AB 197.
- B. Board Election Results.
- C. 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 17, 2013 at 2 p.m.

14. ADJOURNMENT INTO CLOSED EXECUTIVE SESSION:

15. CLOSED EXECUTIVE SESSION:

1. Pursuant to Government Code Sections 54957.1 and 54956.9 to discuss and make recommendations regarding disability applications:

Discussion and possible motion regarding Medical Review of Disability Retirement:

- Joubert, Christopher

2. 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:

1) Macaulay v. ACERA, Case No.: RG11583736

3. Pursuant to Government Code Section 54957 -- Public Employee Discipline/Dismissal/Release.
4. Conference with Legal Counsel – Anticipated Litigation -- Significant exposure to litigation pursuant to subdivision Government Code §54956.9(b) (1 case).
5. Pursuant to Government Code Section 54957 to discuss and possibly finalize:
Chief Executive Officer Performance Evaluation

16. RECONVENE INTO OPEN SESSION TO ANNOUNCE ANY ACTION TAKEN IN CLOSED EXECUTIVE SESSION:

17. ADJOURNMENT:

APPENDIX A
APPLICATION FOR SERVICE RETIREMENT

ALLEN, Mark G
Effective: 8/4/2012
Community Development Agency

HAMPTON, Sandra
Effective: 7/28/2012
Alameda County Medical Center

BENJAMIN, Robert
Effective: 7/28/2012
Health Care Services Agency

HARRIS, Betty J.
Effective: 9/1/2012
District Attorney

BERTUCCELLI, Roy R.
Effective: 9/1/2012
Social Services Agency

LEWIS, Barbara K.
Effective: 8/25/2012
Public Health

BLYTHE, Jan T.
Effective: 9/18/2012
Registrar of Voters

LORIEN, Gail S.
Effective: 3/31/2012
Social Services Agency

CLABIORNE, Calvin J.
Effective: 8/5/2012
Probation

LUU, Chi V.
Effective: 8/2/2012
Alameda County Medical Center

CRUZ, Francisco A.
Effective: 9/21/2012
Alameda County Medical Center

MASON, Rita M.
Effective: 9/1/2012
Social Services Agency

ENDERLE, Shirley M.
Effective: 8/25/2012
Alameda County Medical Center

MC CULLOUGH-LANGSTON, Loretta F.
Effective: 6/30/2012
Sheriff's Office

ESKRIDGE, Joyce A.
Effective: 9/15/2012
Sheriff's Office

NICHOLSON, Jackie L.
Effective: 8/26/2012
Alameda County Medical Center

FENN, Ethel P.
Effective: 9/15/2012
Health Care Services Agency

OVERHOLT, Ronald G.
Effective: 5/1/2012
Superior Court - DEF

FRAGA, Stephen J.
Effective: 10/9/2012
Sheriff's Office - DEF

PAIRASTA, Rahela
Effective: 9/11/2012
Housing Authority - DEF

FREEMAN-JARREAU, Gail
Effective: 9/26/2012
Alameda County Medical Center - DEF

PARKER, Classie
Effective: 7/9/2012
Alameda County Medical Center - DEF

GRIFFITH, Deanne M.
Effective: 10/23/2012
DRO - DEF

PINEO, Ivan P.
Effective: 6/30/2012
Sheriff's Office - DEF

APPENDIX A
APPLICATION FOR SERVICE RETIREMENT

SALAS-ORTIZ, Ruth E.
Effective: 9/21/2012
Social Services Agency

STROM, Margaret
Effective: 8/25/2012
Information Technology Department

WINGATE, Carolyn T.
Effective: 9/22/2012
Probation

APPENDIX B
APPLICATION FOR DEFERRED RETIREMENT

CLAY, Jason A.
Public Defender
Effective: 11/03/06
Years of Service: 11.65385 years

DENNINGTON, Wendy L.
Sheriff's Office
Effective: 12/02/04
Years of Service: 6.22763 years

DOONER, Michelle D.
Social Services Agency
Effective: 07/31/07
Years of Service: 6.79338 years

MULLINS, Riva C.
Social Services Agency
Effective: 01/31/06
Years of Service: 7.99057 years

SORIANO, Irene S.
Social Services Agency
Effective: 01/04/05
Years of Service: 5.51138 years

WALKER, Dorothy
Alameda County Medical Center
Effective: 11/15/11
Years of Service: 8.96923 years

APPENDIX B-1
APPLICATION FOR NON-VESTED DEFERRED

NKOMO, Euredis C.
Alameda County Medical Center
Effective: 07/27/2011
Years of Service: .043978 years

SCHUBB, Breck J.
Alameda County Medical Center
Effective: 12/04/11
Years of Service: 2.43541 years

APPENDIX D
LIST OF DECEASED MEMBERS

BEDIAKO, Doris
10/5/2012
Survivor of Burton Baines

HILLIARD, Mary
5/12/2012
Survivor of Edward Hilliard

CHANDLER, Ann
11/17/2012
Public Health Agency

HURLEY, Mildred
10/23/2012
Survivor of Louis Hurley

CHESKO, Ruth
10/30/2012
Survivor of Edward Chesko

JACKSON, Rubye
10/7/2012
Alameda County Medical Center

COLLINS, Walter
9/12/2012
Survivor of Cleopatria Collins

JACOBSON, Joel
10/28/2012
Public Works Agency

CONBOY, Thomas
11/8/2012
Alameda County Medical Center

KRAHNKE, Steven
11/21/2012
Sheriff's Office

EMBRY JR, George
11/12/2012
Public Works Agency

MEADORS, Betty
11/12/2012
Probation Department

GIBSON, Lucile
11/20/2012
Survivor of Wayne Gibson

PAYNE, William
11/5/2012
Livermore Area Recreation & Park District

GREENLOW, Thomas
11/10/2012
Social Services Agency

ROCHELLE, Dorothy
11/8/2012
Alameda County Medical Center

HANSEN, Myron
11/3/2012
Community Development Agency

APPENDIX D
LIST OF DECEASED MEMBERS

SEGER, Janet
10/26/2012
Sheriff's Office

WOODS, Edith
10/13/2012
Survivor of Mc Kinley Woods

VERBITSKY, La Wanda
11/23/2012
General Services Agency

WRIGHT, Jerome
11/4/2012
Survivor of James Wright

WONG, Jennie
11/9/2012
Assessor

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

RODRIGUEZ, Raul
130 Biweekly Payroll Deductions for a total of \$33,018.70
Years of Service: 5.99087
Government Code § 31641.5 Part Time & Days Prior

APPENDIX F
APPLICATION FOR DISABILITY RETIREMENT

Name: **Bordelon, Vincent**
Type of Claim: Service Connected

Staff's Recommendation:

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

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

Staff's Recommendation:

To deny Mr. Jacobs' application for service connected disability since he did not meet the requirements of Government Code Section 31720.6 of the Cancer Presumption.