



AGENDA

RETIREMENT BOARD MEETING

FIRST MONTHLY MEETING
November 4, 2015
9:00 a.m.

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way, Suite 221
Concord, California

NOTICE OF TELECONFERENCE MEETING

ONE OR MORE MEMBERS OF THE BOARD OF RETIREMENT FOR THE CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION MAY PARTICIPATE IN THE BOARD MEETING, SCHEDULED FOR NOVEMBER 4, 2015, VIA TELECONFERENCE AT THE LOCATION LISTED BELOW, WHICH IS OPEN TO THE PUBLIC.

TELECONFERENCE LOCATION:

THE LODGE AT TORREY PINES
HUGHES COTTAGE
11480 N. TORREY PINES ROAD
LA JOLLA, CA 92037

THE LOCATION LISTED ABOVE IS ACCESSIBLE TO THE PUBLIC, INCLUDING THOSE WITH DISABILITIES.

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Accept comments from the public.
3. Approve minutes from the September 23, 29 and 30, 2015 Board meetings.
4. Routine items for November 4, 2015.
 - a. Approve certifications of membership.
 - b. Approve service and disability allowances.
 - c. Accept disability applications and authorize subpoenas as required.
 - d. Approve death benefits.
 - e. Accept Asset Allocation Report

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

CLOSED SESSION

5. The Board will go into closed session under Gov. Code Section 54957 to consider recommendations from the Medical Advisor and/or staff regarding the following disability retirement applications:

	<u>Member</u>	<u>Type Sought</u>	<u>Recommendation</u>
a.	Kristine Bouchard	Non-Service Connected	Non-Service Connected
b.	Arturo Cruz	Non-Service Connected	Non-Service Connected
c.	Matthew Parkinen	Service Connected	Service Connected
d.	Peter Wells	Service Connected	Service Connected

6. The Board will continue in closed session to consider the Hearing Officer's recommendation regarding the disability application for James Lee.
7. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(2) to confer with legal counsel regarding anticipated litigation (two cases).
8. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:

Montgomery v. Montgomery, Solano County Superior Court, Case No. FFL 128451

OPEN SESSION

9. Consider and take possible action regarding the collection of pension overpayments from Contra Costa County due to its erroneous reporting of panel management pay as pensionable compensation.
10. Educational Presentation on Brown Act Fundamentals
11. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



MINUTES

RETIREMENT BOARD MEETING MINUTES

SECOND MONTHLY MEETING
September 23, 2015
9:00 a.m.

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way, Suite 221
Concord, California

Present: Debora Allen, Candace Andersen, Scott Gordon, Brian Hast, Jerry Holcombe, Louie Kroll, John Phillips, Gabe Rodrigues, Todd Smithey, Jerry Telles and Russell Watts

Absent: Will Pigeon

Staff: Gail Strohl, Retirement Chief Executive Officer, Kurt Schneider, Deputy Retirement Chief Executive Officer; Timothy Price, Retirement Chief Investment Officer; Alexis Cox, Retirement Benefits Manager; and Christina Dunn, Retirement Administration Manager

Outside Professional Support:
Jeff Rieger

Representing:
Reed Smith LLP

1. Pledge of Allegiance

Telles led all in the *Pledge of Allegiance*.

2. Accept comments from the public

No members of the public offered comment.

3. Approval of Minutes

It was **M/S/C** to approve the minutes of the June 10, 2015 Board meeting with a correction to remove Watts from voting on Item 7 as he was not present at the meeting. (Yes: Andersen, Holcombe, Phillips, Rodrigues, Smithey, Telles and Watts)

It was **M/S/C** to approve the minutes of the July 23, 2015 Board meeting. (Yes: Andersen, Holcombe, Phillips, Rodrigues, Smithey, Telles and Watts)

Allen, Gordon and Hast were present for subsequent discussion and voting.

CLOSED SESSION

The Board moved into closed session pursuant to Govt. Code Section 54957.6.

The Board moved into open session.

4. There was no reportable action related to Govt. Code Section 54957.6.

5. **Presentation from staff on Real Asset commitment pace**

Price and Youngman reviewed their memo regarding CCCERA's real asset commitment schedule noting the pace has been slower than originally thought and staff now recommends a practice of 75% over-commitment to direct funds, and a 100% over-commitment to fund of funds. This is a change from the recommendation the Board received on November 25, 2014 which was to over-commit by 75% for both direct and indirect funds.

6. **Presentation from staff and Aether regarding proposed Aether IV Commitment** – Troy Schell, David Rhoades, Sean Goodrich

Youngman noted this is a follow – on fund to Aether Real Assets III and will follow a similar strategy of investing in real asset funds. Staff recommendation is to commit \$50 million to the Aether Real Assets IV strategy.

Rhoades introduced the team and provided an overview of Aether noting they are currently raising their fourth fund.

Goodrich discussed commodity prices noting that they focus on agriculture, energy and metals. He noted they believe that prices will increase and they will be able to take advantage of this in their funds. He also discussed Aether's biases noting that they are biased towards smaller funds, operational experience and are not dependent on financial leverage or technological innovation.

Schell reviewed what differentiates Aether noting their research database is customized solely for real assets due diligence and monitoring, their sole focus on real assets investments and their unique approach to investment sourcing.

Rhoades reviewed the returns of the Aether Real Asset (ARA) funds as of March 31, 2015 and June 30, 2015 noting that for June 30th the rate of returns were – ARA I: 6.7%, ARA II: -0.2%, ARA III: 6.3%, and ARA III Surplus: 9.1%.

7. **Consider and take possible action to commit to Aether Real Assets IV**

It was M/S/C to commit \$50 million to Aether Real Assets IV strategy subject to a successful on-site visit, legal review and authorize the Chief Executive Officer to execute the necessary contracts. (Yes: Allen, Andersen, Gordon, Hast, Phillips, Rodrigues, Smithey, Telles and Watts)

Telles was no longer present for subsequent discussion and voting.

8. **Presentation from staff and Siguler Guff regarding proposed Siguler Guff DREOF II Co-investment Fund commitment** – Matt Brewer, Jim Corl

Price and Youngman reviewed their memo noting this new fund is a co-investment fund, offered primarily to the investors in Siguler Guff Distressed Real Estate Fund II.

Prior to their presentation, Siguler Guff waived the confidentiality disclaimer on the presentation materials.

Brewer noted this offering is a small distressed real estate investment fund that is being offered to current investment partners in the Siguler Guff Distressed Real Estate Fund II. He stated they are close to 80% committed in the current fund and have additional opportunities that they would like to take advantage of. There is a two year investment period with this co-investment fund.

Corl provided an update on the current investments noting Fund I and II have done very well. He noted that Fund II will continue the strategy used in Fund I and will focus on opportunities Siguler Guff believes present the best value characteristics. He also discussed the fees noting fees are charged on investment capital only.

9. Consider and take possible action to commit to Siguler Guff DREOF II Co-investment Fund

After a discussion on fees, it was **M/S/C** to commit \$25 million to Siguler Guff DREOF II Co-investment Fund subject to a successful on-site visit, legal review and authorize the Chief Executive Officer to execute the necessary contracts. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts).

10. Consider and take possible action to authorize the CEO to execute a contract with McLagan for an investment compensation study

Strohl reviewed her memo noting on August 12, 2015, the Board of Retirement authorized the CEO to execute a contract with Koff and Associates for a total compensation and classification study. McLagan is a consulting firm that specializes in compensation studies for investment classifications.

It was **M/S/C** to authorize the CEO to execute a contract with McLagan for an investment compensation study at a total cost of \$15,000. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts)

11. Consider and take possible action to accept the actuarial valuation of future annual costs of proposed changes to Other Post Employment Benefits as provided by Milliman

Dunn introduced John Botsford of Milliman.

Milliman waived the confidentiality disclaimer on the presentation materials.

Botsford reviewed his report regarding the proposed retiree health benefit changes effective January 1, 2016. He discussed the assumptions and methodology used to create the different scenarios.

It was **M/S/C** to accept the actuarial valuation of future costs of proposed changes to Other Post Employment Benefits as provided by Milliman. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts)

12. Consider authorizing the attendance of Board and/or staff:

a. It was **M/S/C** to authorize the attendance of 1 Board member at the CRCEA Fall Conference, CRCEA, October 19-21, 2015, Stockton, CA. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts).

b. It was **M/S/C** to authorize the attendance of 1 Board member and 1 staff member at the Educational Forum, CalPERS, October 26-28, 2015, San Jose, CA. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts).

c. It was **M/S/C** to authorize the attendance of all Board members and appropriate staff at the SACRS Fall Conference, SACRS, November 17-20, 2015, San Diego, CA. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts).

13. Miscellaneous

(a) Staff Report –

Strohl introduced Alexis Cox, the new Benefits Manager; she gave an update on the total compensation and classification study; and, she asked that Board members let her know if they are unable to attend the September 29th and 30th Board meeting.

Dunn reported there was an ADP kickoff meeting to set up payroll; the AFSCME MOU will be coming to the Board at the October 7, 2015 meeting; and, possible buyers will be touring the building at the end of the week.

Price gave an update on on-site visits; and, stated the September 29th and 30th Board meetings will be at the Pleasant Hill Community Center.

(b) Outside Professionals' Report -

None

(c) Trustees' comments –

Holcombe reported he attended the CALAPRS Trustee Roundtable and felt it was excellent.

Rodrigues stated he felt the CALAPRS Trustee Roundtable was the best one he has attended.

Gordon stated he appreciated the comments regarding the CALAPRS Trustee Roundtable.

It was **M/S/C** to adjourn the meeting. (Yes: Allen, Andersen, Gordon, Hast, Kroll, Phillips, Rodrigues, Smithey and Watts)

John Phillips, Chairman

Scott Gordon, Secretary



MINUTES

RETIREMENT BOARD MEETING MINUTES

INVESTMENT STRATEGY DEVELOPMENT
WORKSHOP – DAY 1
September 29, 2015
9:00 a.m.

McHale Room
Pleasant Hill Community Center
320 Civic Drive
Pleasant Hill, California

Present: Debora Allen, Candace Andersen, Scott Gordon, Brian Hast, Jerry Holcombe, Louie Kroll, John Phillips, William Pigeon, Gabe Rodrigues and Russell Watts

Absent: Todd Smithey and Jerry Telles

Staff: Gail Strohl, Retirement Chief Executive Officer, Timothy Price, Retirement Chief Investment Officer; Karen Levy, Retirement General Counsel; Wrally Dutkiewicz, Retirement Compliance Officer; and Christina Dunn, Retirement Admin/HR Manager.

Outside Professional Support:	Representing:
Harvey Leiderman	Reed Smith LLP
Edward Hoffman	Verus Consulting Group
Scott Whalen	Verus Consulting Group

1. Pledge of Allegiance

Allen led all in the *Pledge of Allegiance*.

2. Accept comments from the public

No members of the public offered comment.

3. Presentations regarding Investment Strategy Development

Price gave a brief overview of the format for the day and the goals of the workshop.

Andersen and Pigeon were present for subsequent discussion and voting.

Whalen reviewed the framework, goals and objectives for the workshop. He also reviewed the status of the integrated consulting process.

Leiderman distributed “Fiduciary Considerations for Establishing Prudent Asset Allocation.” He reviewed fiduciary duties noting the Board needs to know the long term objectives and goals of the trust when deciding how to invest. He also reviewed best practices to assure prudent investment processes and fiduciary considerations in setting asset allocations.

Price distributed “Developing a Statement of Investment Philosophy: Stage 1.” Whalen reviewed the purpose of the Statement of Investment Philosophy. He reviewed the Plan purpose, goals & constraints, the portfolio design and construction, and performance evaluation.

Dr. Ashby Monk, Stanford University, gave a presentation on the production of investment returns and thinking outside of the box.

Gordon was no longer present for subsequent discussion and voting.

Price distributed “CCCERA’s Investment Evolution”. Whalen reviewed the long-term policy allocations and the historical actual asset allocation. He also reviewed the historical strategy selections over the last 10 years noting 12 strategies were terminated and 16 new strategies were selected.

Price distributed “Understanding, Recognizing, and Overcoming Behavioral Biases.” Whalen reviewed traditional vs. behavioral finance and why it matters. He also discussed decision making and monitoring managers.

Andersen was no longer present for subsequent discussion and voting.

Price distributed “Goals and Constraints.” Hoffman discussed the context when thinking about goals and constraints and achieving goals within regulatory, public, media and self-imposed constraints.

Price distributed “Developing a Statement of Investment Philosophy: Stage 2.” Whalen reviewed the session objectives. The Board discussed the possible wording for the portfolio design and construction. The Board also discussed the current approach and an alternative approach to performance evaluation.

Whalen re-capped the day and gave a preview of Day 2.

4. Miscellaneous

- (a) Staff Report – None
- (b) Outside Professionals’ Report - None
- (c) Trustees’ comments – None

It was **M/S/C** to adjourn the meeting. (Yes: Allen, Hast, Holcombe, Kroll, Phillips, Pigeon, Rodrigues and Watts)

John Phillips, Chairman

Scott Gordon, Secretary



MINUTES

RETIREMENT BOARD MEETING MINUTES

INVESTMENT STRATEGY DEVELOPMENT
WORKSHOP – DAY 2
September 30, 2015
9:00 a.m.

McHale Room
Pleasant Hill Community Center
320 Civic Drive
Pleasant Hill, California

Present: Debora Allen, Candace Andersen, Scott Gordon, Brian Hast, Jerry Holcombe, Louie Kroll, John Phillips, William Pigeon, Gabe Rodrigues and Russell Watts

Absent: Todd Smithey and Jerry Telles

Staff: Gail Strohl, Retirement Chief Executive Officer, Timothy Price, Retirement Chief Investment Officer; Karen Levy, Retirement General Counsel; Wrally Dutkiewicz, Retirement Compliance Officer; and Christina Dunn, Retirement Admin/HR Manager.

Outside Professional Support:	Representing:
Harvey Leiderman	Reed Smith LLP
Edward Hoffman	Verus Consulting Group
Scott Whalen	Verus Consulting Group

1. Pledge of Allegiance

Holcombe led all in the *Pledge of Allegiance*.

2. Accept comments from the public

No members of the public offered comment.

Pigeon was present for subsequent discussion and voting.

3. Presentations regarding Investment Strategy Development

Whalen gave a brief review of Day 1 and an introduction to Day 2.

The Role of Asset Classes was distributed. Hoffman gave an introduction to the role of asset classes. He discussed the different aspects of building portfolios and market environments. He also discussed the roles and return drivers for equities, fixed income and real assets/alternatives.

Whalen gave an overview of the session objectives. He reviewed the Asset/Liability Study, the summary findings, historical experience, deterministic projections and stochastic projections. He reviewed investment models and investment model forecasts.

Price distributed "Enterprise Risk Tolerance Assessment." Whalen discussed risk elements and mitigating factors. He defined enterprise risk as an aggregation of many types of risk elements and

offsetting mitigating factors which must be assessed individually. He discussed investment risk, liability risk, decision risk, and potential mitigating factors.

Gordon was no longer present for subsequent discussion and voting.

Hoffman distributed "Investment Strategy Evaluation". He gave an overview of modeling techniques including mean-variance analysis, asset-liability modeling, scenario analysis, stress tests and risk decomposition.

Price reviewed an example of a Functionally Focused Portfolio (FFP).

Hoffman reviewed a forecasted risk/return for different portfolio types and an investment model evaluation summary.

The Board discussed different models and estimated timelines in changing our asset allocation. It was noted investment policy implications could take up to 2 years.

The Board directed staff to create a risk-balanced 50/25/25 investment model and a refined Functionally Focused Portfolio (FFP) model. A special meeting may be scheduled in December to review and select a final asset mix.

Whalen reviewed the workshop goals and objectives and the next steps – an asset allocation workshop and an IPS/detailed implementation plan review.

4. Consider and take possible action to accept new target asset allocation

No action was taken.

5. Miscellaneous

- (a) Staff Report – None
- (b) Outside Professionals' Report - None
- (c) Trustees' comments – None

It was **M/S/C** to adjourn the meeting. (Yes: Allen, Andersen, Hast, Holcombe, Kroll, Phillips, Pigeon, Rodrigues and Watts)

John Phillips, Chairman

Scott Gordon, Secretary

CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

<p><u>Meeting Date</u> 11/04/15 <u>Agenda Item</u> #4 November 4, 2015</p>
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Items requiring Board Action

A. Certifications of Membership – see list and classification forms.

B. Service and Disability Retirement Allowances:

<u>Name</u>	<u>Number</u>	<u>Effective Date</u>	<u>Option Type</u>	<u>Group</u>	<u>Selected</u>
Adamich, Donlon	63730	08/01/15	SR	III	Unmod
Capozzo, John	46892	08/14/15	SR	II & III	Unmod
Ciriaco, Marietta	69641	08/01/15	SR	III	Unmod
Cowden, Debbie	65609	08/19/15	SR	III	Unmod
Eubanks, Kathleene	D7830	08/01/15	SR	I	Unmod
Gomez, Daniel	49582	08/01/15	SR	SA	Unmod
Graydon, Kenneth	48683	08/05/15	SR	II & III	Unmod
Helle, John	D9500	08/20/15	SR	III	Unmod
Hornbeck, Beth	51196	06/20/15	SR	II & III	Unmod
Kruger, Jean	62870	08/01/15	SR	II & III	Unmod
Kumari, Sudesh	63163	07/29/15	SR	III	Unmod
LaFramboise, Glenda	67426	07/17/15	SR	III	Unmod
Mariner, Daniel	52275	09/01/15	SR	SA	Unmod
Mattox, Gregory	63241	09/13/15	NSCD	II & III	Unmod
Perez, Maria	D3414AP	07/13/15	SR	I	Unmod
Pineda, Ana	64183	08/01/15	SR	II & III	Unmod
Robles, Martha	49420AP	08/14/15	SR	II & III	Unmod
Schwind, Norman	60700	08/07/15	SR	SA	Unmod
Sotelo, Eloise	55817	07/10/15	SR	II & III	Unmod
Tantoco, Prescilla	55614	07/17/15	SR	II & III	Unmod
Thomas, Leticia	49471	08/09/14	NSCD	II & III	Unmod
Yu, Hui	69163	03/31/15	SR	III	Unmod
Zarakov, Barbara	76128	08/01/15	SR	III	Option 2

C. Disability Retirement Applications: The Board's Hearing Officer is hereby authorized to issue subpoenas in the following cases involving disability applications:

<u>Name</u>	<u>Number</u>	<u>Filed</u>	<u>Type</u>
Chilimidos, Daryl Invalo	64549	10/16/15	SCD
Currie, Lori	D9990	09/11/15	NSCD
Fliehmman, Jessica	64903	10/12/15	SCD
Halvorson, Rebecca	72397	09/03/15	SCD

KEY:

Group
 I = Tier I
 II = Tier II
 III = Tier III
 S/A = Safety Tier A
 S/C = Safety Tier C

Option
 * = County Advance
 Selected w/option

Type
 NSP = Non-Specified
 SCD = Service Disability
 SR = Service Retirement
 NSD = Non-Service Disability

CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

BOARD OF RETIREMENT

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November 4, 2015

D. Deaths:

<u>Name</u>	<u>Date of Death</u>	<u>Employer</u>
Bradshaw, Edna	10/17/2015	Contra Costa Superior Court
Bruno, Verna	8/23/2015	Beneficiary
Christensen, Steven	10/14/2015	Contra Costa County
Cohen, Lorraine	10/23/2015	Contra Costa County
Cox, Lois	10/10/2015	Contra Costa County
Elswick, Patricia	9/23/2015	Contra Costa County
Emerson, Eve	8/5/2015	Contra Costa County
Funk, Edna	10/7/2015	Beneficiary
Gholson, Sandra	9/23/2015	Contra Costa County
Gleffe, Catherine	8/31/2015	Beneficiary
Hall, Eleanor	9/28/2015	Contra Costa County
Hancock, Margie	10/11/2015	Beneficiary
Hannan, Theresa	10/23/2015	Contra Costa County
Holbrook, Lillian	10/16/2015	Central Contra Costa Sanitary District
Jeffords, Oliver	10/22/2015	Beneficiary
Keck, Harold	10/8/2015	Contra Costa Superior Court
Lawrence, Florence	10/17/2015	Beneficiary
Lowery, Christell	6/29/2015	Contra Costa County
Malin, Hedwig	10/19/2015	Contra Costa County
Mc Neill, Tamyra	10/24/2015	Contra Costa County
McCall, Patricia	9/15/2015	Contra Costa County
Paulson, Suesann	10/9/2015	Contra Costa County
Perez, Mary Joan	9/11/2015	Contra Costa County
Roe, Norma	7/24/2015	Contra Costa County
Royse, Barbara	9/10/2015	Contra Costa County
Sharrar, Michael	10/23/2015	Contra Costa County
Shinn, William	10/16/2015	Contra Costa County
Soloman, Stephen	9/20/2015	Beneficiary
Steele, Helen	9/16/2015	Contra Costa County
Winrow, Mallory	8/21/2015	Contra Costa County

KEY:

Group
 I = Tier I
 II = Tier II
 III = Tier III
 S/A = Safety Tier A
 S/C = Safety Tier C

Option
 * = County Advance
 Selected w/option

Type
 NSP = Non-Specified
 SCD = Service Disability
 SR = Service Retirement
 NSD = Non-Service Disability

CERTIFICATION OF MEMBERSHIPS

Meeting Date
11/04/15
Agenda Item
#4a.

<i>Name</i>	<i>Employee Number</i>	<i>Tier</i>	<i>Membership Date</i>	<i>Employer</i>
Aguilar, Hortencia	53172	III	09/01/15	Contra Costa County
Alatorre, Michelle	82095	P5.2	09/01/15	Contra Costa County
Alcantara, Darren	82162	P5.2	09/01/15	Contra Costa County
Aliano, Dominic	82081	P5.2	09/01/15	Contra Costa County
Alvarez, Matthew	81068	P5.2	09/01/15	Contra Costa County
Anderson, Keith	79924	P5.2	09/01/15	Contra Costa County
Aramburo, Edgar	82142	P5.2	09/01/15	Contra Costa County
Arias, Angel	80332	P5.2	09/01/15	Contra Costa County
Augustine, Freda	51041	III	09/01/15	Contra Costa County
Bannerman, Nana	78367	P5.2	09/01/15	Contra Costa County
Barclay, John	79346	P5.2	09/01/15	Contra Costa County
Barnett, Emily	D3406	P4.3	09/01/15	Central Sanitary District
Barrientos Barrios, Susan	81066	P5.2	09/01/15	Contra Costa County
Bechler, Raymond	82141	S/E	09/01/15	Contra Costa County
Bishop, Tawana	80281	P5.2	09/01/15	Contra Costa County
Boughtin, Casey	82164	P5.2	09/01/15	Contra Costa County
Buban, Maria	70466	III	09/01/15	Contra Costa County
Burchfield, Vienna	76922	P5.3	09/01/15	Contra Costa County
Butler, Beverly	51132	III	09/01/15	Contra Costa County
Canela, Melissa	82032	P5.2	08/01/15	Contra Costa County
Carrillo, Miriam	79799	P5.3	09/01/15	Contra Costa County
Casados, Felicia	79545	P5.2	09/01/15	Contra Costa County
Charway, Priscilla	82186	P5.2	09/01/15	Contra Costa County
Chavarria-Fryar, Elaine	53040	III	09/01/15	Contra Costa County
Chua, Remington	80185	P5.3	09/01/15	Contra Costa County
Cooper, Deldridge	70402	III	09/01/15	Contra Costa County
Cortez, Sara	80770	P5.2	09/01/15	Contra Costa County
Cruz, David	82165	P5.2	09/01/15	Contra Costa County
Darcy, Patricia	81231	P5.2	09/01/15	Contra Costa County
Davi, Lorraine	82146	P5.2	09/01/15	Contra Costa County
DeAlmeida, Ramani	53229	III	09/01/15	Contra Costa County
Diaz, Adriana	66048	III	09/01/15	Contra Costa County
Dorantes, Marisa	82110	P5.2	09/01/15	Contra Costa County
Duvall, Connie	81232	P5.2	09/01/15	Contra Costa County
Elliott, Ann	82057	P5.2	09/01/15	Contra Costa County
Evans, Khadeejah	82061	P5.2	09/01/15	Contra Costa County

Key:

I = Tier I	P4.2 = PEPRA Tier 4 (2% COLA)	S/A = Safety Tier A
II = Tier II	P4.3 = PEPRA Tier 4 (3% COLA)	S/C = Safety Tier C
III = Tier III	P5.2 = PEPRA Tier 5 (2% COLA)	S/D = Safety Tier D
	P5.3 = PEPRA Tier 5 (3% COLA)	S/E = Safety Tier E

CERTIFICATION OF MEMBERSHIPS

<i>Name</i>	<i>Employee Number</i>	<i>Tier</i>	<i>Membership Date</i>	<i>Employer</i>
Figaro, Rashad	82166	P5.2	09/01/15	Contra Costa County
Fleming, Cheryl	82231	P5.2	09/01/15	Contra Costa County
Fleming, LeTanya	81076	P5.2	09/01/15	Contra Costa County
Fliehmman, Colin	76831	P5.2	09/01/15	Contra Costa County
Frank, Tanya	81077	P5.2	09/01/15	Contra Costa County
Freedman, Julie	69957	III	09/01/15	Contra Costa County
Fussi, Sonja	82059	P5.2	09/01/15	Contra Costa County
Garcia, Andrea	82179	P5.2	09/01/15	Contra Costa County
Garcia-Espinoza, Adrian	78713	P5.2	09/01/15	Contra Costa County
Gipson, Roosevelt	81078	P5.2	08/01/15	Contra Costa County
Gonzalez, Erika	72296	P5.2	09/01/15	Contra Costa County
Gonzalez, Noelia	53044	III	09/01/15	Contra Costa County
Gordon, Amy	55356	III	09/01/15	Contra Costa County
Goundar, Marie	77114	P5.2	09/01/15	Contra Costa County
Gwaltney, Priscilla	D9500	P5.3	09/01/15	Superior Courts
Hammond, Marilyn	79935	P5.2	09/01/15	Contra Costa County
Hanson, Consuelo	68274	III	09/01/15	Contra Costa County
Herald, Faye	81376	P5.2	08/01/15	Contra Costa County
Hernandez, Karen	79123	P5.2	09/01/15	Contra Costa County
Hilliard, Gena	81081	P5.2	09/01/15	Contra Costa County
Hoedt, Jillian	80709	P5.2	09/01/15	Contra Costa County
Hoppe, Timothy	82202	P4.3	09/01/15	CCCERA
Horace, Brian	81788	S/D	09/01/15	Contra Costa County
Huie, John	D3406	I	09/01/15	Central Sanitary District
Hurley, Patrick	82094	P5.2	09/01/15	Contra Costa County
Jimenez, Bryan	81597	P5.2	09/01/15	Contra Costa County
Jimenez, Janice	81162	P5.2	09/01/15	Contra Costa County
Jimenez, Valerie	82123	P4.3	09/01/15	CCCERA
Jones III, Gregory	82167	P5.2	09/01/15	Contra Costa County
Kapisarov, John	82160	P5.2	09/01/15	Contra Costa County
Karr, Eryl	82185	P5.2	09/01/15	Contra Costa County
Kidwell, Marie	82232	P5.2	09/01/15	Contra Costa County
King, Juliet	67280	P5.2	09/01/15	Contra Costa County
King-Lankford, Melissa	80273	P5.2	08/01/15	Contra Costa County
Kwok, Kimberly	80475	P5.2	09/01/15	Contra Costa County
Laing, Brian	82158	P5.2	09/01/15	Contra Costa County

Key:

I = Tier I	P4.2 = PEPR Tier 4 (2% COLA)	S/A = Safety Tier A
II = Tier II	P4.3 = PEPR Tier 4 (3% COLA)	S/C = Safety Tier C
III = Tier III	P5.2 = PEPR Tier 5 (2% COLA)	S/D = Safety Tier D
	P5.3 = PEPR Tier 5 (3% COLA)	S/E = Safety Tier E

CERTIFICATION OF MEMBERSHIPS

<i>Name</i>	<i>Employee Number</i>	<i>Tier</i>	<i>Membership Date</i>	<i>Employer</i>
Lakin, Susan	82144	P5.2	09/01/15	Contra Costa County
Larez, Alejandro	80964	P5.2	09/01/15	Contra Costa County
LaStrappe, Chandra	81362	P5.2	08/01/15	Contra Costa County
Leach, Andrew	D7274	S/D	09/01/15	Moraga-Orinda Fire District
Lewis, Flynnne	82125	P5.2	09/01/15	Contra Costa County
Lewis, Phyllis	69732	P5.2	09/01/15	Contra Costa County
Liang, Kenny	81835	P5.2	09/01/15	Contra Costa County
Lim, Dorothy	82143	P5.2	09/01/15	Contra Costa County
Lopez, Diana	75282	P5.2	09/01/15	Contra Costa County
Luna, Julius	81744	P5.2	09/01/15	Contra Costa County
Macias, Anacleto	82065	P5.2	09/01/15	Contra Costa County
Maqiq, Safia	80203	P5.2	09/01/15	Contra Costa County
Martinez, Fausto	71967	P5.2	09/01/15	Contra Costa County
Massey, Sharon	82049	P5.2	08/01/15	Contra Costa County
Mata, Denise	54330	III	09/01/15	Contra Costa County
McFadden, Kimya	82145	P5.2	09/01/15	Contra Costa County
McGee, Eva	82070	P5.2	08/01/15	Contra Costa County
McGuire, Eleanor	60905	III	09/01/15	Contra Costa County
Mendoza, Elmer	82139	P5.3	09/01/15	Contra Costa County
Mojica, Yolanda	82174	P5.2	09/01/15	Contra Costa County
Moody, Julie	70045	III	09/01/15	Contra Costa County
Murillo, Jenny	82068	P5.2	08/01/15	Contra Costa County
Murphy, Melissa	82073	P5.2	09/01/15	Contra Costa County
Nattkemper, Alex	78923	P5.2	09/01/15	Contra Costa County
Ordaz Flores, Cuauhtemoc	82099	P5.2	09/01/15	Contra Costa County
Pacheco, Breanna	82189	P5.2	09/01/15	Contra Costa County
Pacheco, Grace	82176	P5.2	09/01/15	Contra Costa County
Peddycord, Daniel	82058	P5.2	09/01/15	Contra Costa County
Pei, Juan	82012	P5.3	09/01/15	Contra Costa County
Perea, Lorena	71306	III	09/01/15	Contra Costa County
Petersen, Daniel	81886	P5.2	09/01/15	Contra Costa County
Pickett, Victoria	82075	P5.2	09/01/15	Contra Costa County
Quezada, Manuela	75054	P5.2	09/01/15	Contra Costa County
Quintana, Robert	81588	P5.2	09/01/15	Contra Costa County
Ralls, Russell	81127	P5.2	09/01/15	Contra Costa County
Rassi, Mahdieh	75558	III	09/01/15	Contra Costa County

Key:

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II = Tier II	P4.3 = PEPRA Tier 4 (3% COLA)	S/C = Safety Tier C
III = Tier III	P5.2 = PEPRA Tier 5 (2% COLA)	S/D = Safety Tier D
	P5.3 = PEPRA Tier 5 (3% COLA)	S/E = Safety Tier E

CERTIFICATION OF MEMBERSHIPS

<i>Name</i>	<i>Employee Number</i>	<i>Tier</i>	<i>Membership Date</i>	<i>Employer</i>
Reed, Tyefa	82072	P5.2	09/01/15	Contra Costa County
Rios, Maria	68282	III	09/01/15	Contra Costa County
Robles, Nadia	82180	P5.2	09/01/15	Contra Costa County
Roche, CaNaya	81063	P5.2	09/01/15	Contra Costa County
Rosillo, Maria	69646	III	09/01/15	Contra Costa County
Roubidoux, Adam	82071	P5.2	08/01/15	Contra Costa County
Ruvalcaba, Norma	72722	P5.2	09/01/15	Contra Costa County
Saucer, Latonya	51860	III	09/01/15	Contra Costa County
Schlein, Karen	81146	P5.2	09/01/15	Contra Costa County
Shah, Yusuf	82055	P5.2	09/01/15	Contra Costa County
Silliezar-Ramos, Patricia	78942	P5.2	09/01/15	Contra Costa County
Silva, Maryanne	82015	P5.2	09/01/15	Contra Costa County
Simons, Demario	82147	P5.2	09/01/15	Contra Costa County
Sims, Felicia	82184	P5.2	09/01/15	Contra Costa County
Smith, Cynthia	74531	III	09/01/15	Contra Costa County
Smith, Danaya	76378	P5.2	09/01/15	Contra Costa County
Smith, Jeffery	79979	P5.2	09/01/15	Contra Costa County
Sonico, Herma	50073	III	09/01/15	Contra Costa County
Spiegel, Joseph	82161	P5.2	09/01/15	Contra Costa County
Talwar, Indu	82112	P5.2	09/01/15	Contra Costa County
Thompson, Bobbie	66685	III	09/01/15	Contra Costa County
Thompson, Jesse	D3414	P4.3	09/01/15	Rodeo Sanitary District
Tiamzon, Divina	48952	III	09/01/15	Contra Costa County
Troub, Jennifer	81369	P5.2	08/01/15	Contra Costa County
Valentine, Quinton	82277	P5.2	09/01/15	Contra Costa County
Vang, Na Phue	82277	P5.2	08/01/15	Contra Costa County
Vanjani, Rachna	79430	P5.2	09/01/15	Contra Costa County
Walker, Jamila	82170	P5.2	09/01/15	Contra Costa County
Walker, Nicole	81197	P5.2	09/01/15	Contra Costa County
Warne, Thomas	64457	III	09/01/15	Contra Costa County
Watkins, Lonnie	81199	P5.2	09/01/15	Contra Costa County
Weathers, Nicole	82067	P5.2	09/01/15	Contra Costa County
Williams, Corniche	78302	P5.2	09/01/15	Contra Costa County
Williams, Trakema	81124	P5.2	09/01/15	Contra Costa County
Williams, Yolanda	51923	III	09/01/15	Contra Costa County
Winslow, Audrey	81221	P5.2	08/01/15	Contra Costa County

Key:

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	P5.3 = PEPRA Tier 5 (3% COLA)	S/E = Safety Tier E

CERTIFICATION OF MEMBERSHIPS

<i>Name</i>	<i>Employee Number</i>	<i>Tier</i>	<i>Membership Date</i>	<i>Employer</i>
Wong, Laura	82038	P5.2	09/01/15	Contra Costa County
Yarber, Claudia	81776	P5.2	09/01/15	Contra Costa County
Younas, Silvia	81126	P5.2	09/01/15	Contra Costa County
Zavala, Joanna	74375	III	09/01/15	Contra Costa County
Zheng, Zhonghua	82062	P5.2	09/01/15	Contra Costa County

Key:

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II = Tier II	P4.3 = PEPRA Tier 4 (3% COLA)	S/C = Safety Tier C
III = Tier III	P5.2 = PEPRA Tier 5 (2% COLA)	S/D = Safety Tier D
	P5.3 = PEPRA Tier 5 (3% COLA)	S/E = Safety Tier E

TIER CHANGES

<i>Name</i>	<i>Employee Number</i>	<i>Old Tier</i>	<i>New Tier</i>	<i>Effective Date</i>	<i>Employer</i>	<i>Reason for Change</i>
Schectel, Lori	D3406	P4.3	I	7/1/2015	Central Sanitary District	Reciprocity

Key:

I = Tier I	P4.2 = PEPRA Tier 4 (2% COLA)	S/A = Safety Tier A
II = Tier II	P4.3 = PEPRA Tier 4 (3% COLA)	S/C = Safety Tier C
III = Tier III	P5.2 = PEPRA Tier 5 (2% COLA)	S/D = Safety Tier D
	P5.3 = PEPRA Tier 5 (3% COLA)	S/E = Safety Tier E

ASSET ALLOCATION

Current Assets (Market Value)

\$7,108,459,000

Reporting Month End: Sept 30, 2015

Prepared By: Chih-Chi Chu

Robeco

Jackson Square Partners (fka Delaware)

Emerald Advisors

Intech (Core)

PIMCO Stocks+ Absolute Return

Ceredex

Total Domestic Equity

Pyford (BMO)

William Blair

Total International Equity

JPMorgan Global Opportunities

First Eagle

Artisan Global Opportunities

Intech (Global Low Volatility)

Total Global Equity

Total Equity

AFL-CIO Housing Investment Trust

PIMCO Total Return

GSAM "Park" Portfolio

Goldman Sachs Asset Management

Lord Abbett

Torchlight Debt Opportunity Funds

Total Domestic Fixed Income

Lazard Asset Management

Total Global Fixed Income

Allianz Global Investors (fka Nicholas Applegate)

Total High Yield Fixed Income

Wellington Real Total Return

PIMCO All Asset

Private Real Asset

Total Real Asset

Total Real Estate

Total Alternative Investments

County Treasurer

State Street Bank

Total Cash & Equivalents

Total Market Opportunities

TOTAL ASSETS

A	B	C	D	C-B	D-A	Range
% of Target	Target Assets	Market Value	Actual Assets	Over (Under)	Over (Under)	
4.3%	305,663,737	286,895,000	4.04%	(18,768,737)	(0.26%)	
4.3%	305,663,737	291,201,000	4.10%	(14,462,737)	(0.20%)	
3.0%	213,253,770	198,488,000	2.79%	(14,765,770)	(0.21%)	
4.0%	284,338,360	281,873,000	3.97%	(2,465,360)	(0.03%)	
4.0%	284,338,360	240,306,000	3.38%	(44,032,360)	(0.62%)	
3.0%	213,253,770	202,557,000	2.85%	(10,696,770)	(0.15%)	
22.6%	1,606,511,734	1,501,320,000	21.12%	(105,191,734)	(1.48%)	
5.3%	376,748,327	353,612,000	4.97%	(23,136,327)	(0.33%)	
5.3%	376,748,327	354,923,000	4.99%	(21,825,327)	(0.31%)	
10.6%	753,496,654	708,535,000	9.97%	(44,961,654)	(0.63%)	
4.0%	284,338,360	255,237,000	3.59%	(29,101,360)	(0.41%)	
4.0%	284,338,360	275,139,000	3.87%	(9,199,360)	(0.13%)	
4.0%	284,338,360	269,597,000	3.79%	(14,741,360)	(0.21%)	
0.3%	21,325,377	21,454,000	0.30%	128,623	0.00%	
12.3%	874,340,457	821,427,000	11.56%	(52,913,457)	(0.74%)	
45.5%	3,234,348,845	3,031,282,000	42.64%	(203,066,845)	(2.86%)	40% TO 55%
3.3%	234,579,147	244,689,000	3.44%	10,109,853	0.14%	
5.6%	398,073,704	423,495,000	5.96%	25,421,296	0.36%	
0.0%	0	4,000	0.00%	4,000	0.00%	
4.6%	326,989,114	338,778,000	4.77%	11,788,886	0.17%	
4.6%	326,989,114	338,685,000	4.76%	11,695,886	0.16%	
1.9%	135,060,721	126,401,000	1.78%	(8,659,721)	(0.12%)	
20.0%	1,421,691,800	1,472,052,000	20.71%	50,360,200	0.71%	
4.0%	284,338,360	292,427,000	4.11%	8,088,640	0.11%	
24.0%	1,706,030,160	1,764,479,000	24.82%	58,448,840	0.82%	20% TO 30%
5.0%	355,422,950	346,797,000	4.88%	(8,625,950)	(0.12%)	
5.0%	355,422,950	346,797,000	4.88%	(8,625,950)	(0.12%)	2% TO 9%
0.8%	53,313,443	194,695,000	2.74%	141,381,558	1.99%	
1.8%	124,398,033	117,154,000	1.65%	(7,244,033)	(0.10%)	
2.5%	177,711,475	37,595,000	0.53%	(140,116,475)	(1.97%)	
5.0%	355,422,950	349,444,000	4.92%	(5,978,950)	(0.08%)	0% TO 10%
12.5%	888,557,375	973,059,000	13.69%	84,501,625	1.19%	10% TO 16%
7.0%	497,592,130	567,970,000	7.99%	70,377,870	0.99%	5% TO 12%
			0.00%			
		49,791,000	0.70%			
0.5%	35,542,295	49,791,000	0.70%	14,248,705	0.20%	0% TO 1%
0.5%	35,542,295	25,637,000	0.36%	(9,905,295)	(0.14%)	0% TO 5%
100.0%	7,108,459,000	7,108,459,000	100%	0	0%	

Meeting Date
11/04/15
Agenda Item
#4e.

UNDER REVIEW:

Nogales Investors - Performance, Board Action 05/28/08

**Private Real Estate Alternative Investments
As of September 30, 2015**

REAL ESTATE INVESTMENTS

Inception Date	Target Termination	# of Extension	Discretion by GP/LP	New Target Termination	Funding Commitment	Market Value	% of Total Asset	Outstanding Commitment
07/31/99	07/31/09	3rd 2 YR	LP	6/30/2015	40,000,000	3,906,000	0.05%	
06/30/05	06/30/14	1st 2 YR	GP	6/30/2016	75,000,000	46,420,000	0.65%	18,958,000
12/31/07	09/30/16				100,000,000	81,980,000	1.15%	19,476,000
07/31/13	12/31/22				75,000,000	38,352,000	0.54%	54,002,000
06/17/98	12/31/09				6,250,000	(32,000)	0.00%	
10/22/03	04/30/11	3rd 1 YR	GP	4/30/2014	50,000,000	5,625,000	0.08%	
05/30/07	12/31/15				85,000,000	29,530,000	0.42%	20,305,000
08/01/13	08/01/20				35,000,000	22,478,000	0.32%	24,315,000
12/01/14	12/01/21				35,000,000	11,807,000	0.17%	
07/18/03	02/28/12	NOT DEF	LP	12/31/2014	50,000,000	794,000	0.01%	
03/30/07	12/30/15				75,000,000	18,801,000	0.26%	
08/14/13	09/30/21				25,000,000	21,353,000	0.30%	115,000
12/15/11	12/31/16				50,000,000	43,039,000	0.61%	
09/30/13	09/30/20				80,000,000	97,443,000	1.37%	5,682,000
02/28/15	02/28/23				65,000,000	0	0.00%	65,000,000
12/31/11	12/31/16				75,000,000	75,263,000	1.06%	14,643,000
08/31/13	08/31/20				70,000,000	38,175,000	0.54%	50,075,000
11/10/13	11/10/20				20,000,000	18,772,000	0.26%	5,800,000
12/31/11	12/31/18				80,000,000	66,724,000	0.94%	18,145,000
10/10/14	10/10/22				65,000,000	0	0.00%	65,000,000
01/31/12	01/31/19				75,000,000	91,111,000	1.28%	3,946,000
					0	175,516,000	2.47%	
					0	76,002,000	1.07%	
					0	10,000,000	0.14%	
					1,336,250,000	973,059,000	13.69%	365,462,000
					721,541,000	365,462,000		
						1,338,521,000		

*** Purchase price \$10,600,000 plus acquisition cost and fees \$174,100.

Outstanding Commitments

Total

PRIVATE DEBT INVESTMENTS

Inception Date	Target Termination	# of Extension	Discretion by GP/LP	New Target Termination	Funding Commitment	Market Value	% of Total Asset	Outstanding Commitment
09/28/06	09/30/16				128,000,000	60,447,000	0.85%	
09/30/08	09/30/16				75,000,000	10,291,000	0.14%	3,143,000
08/01/12	08/30/20				60,000,000	51,878,000	0.73%	71,250,000
12/31/14	09/17/22				75,000,000	3,785,000	0.05%	
					338,000,000	126,401,000	1.78%	74,393,000
						74,393,000		
						200,794,000		

Outstanding Commitments

Total

Private Real Estate Alternative Investments
As of September 30, 2015

ALTERNATIVE INVESTMENTS

Inception Date	Target Termination	# of Extension	Discretion by GP/LP	New Target Termination	Funding Commitment	Market Value	% of Total Asset	Outstanding Commitment
12/22/95	INDEFINITE				180,000,000	126,267,000	1.78%	99,179,000
12/31/08	12/31/20				30,000,000	24,605,000	0.35%	12,637,000
10/31/12	10/31/22				40,000,000	15,517,000	0.22%	24,099,000
11/09/98	05/31/21				125,000,000	61,655,000	0.87%	18,249,000
12/26/08	12/26/23				30,000,000	23,454,000	0.33%	7,911,000
05/24/11	05/24/26				40,000,000	23,379,000	0.33%	19,383,000
02/07/13	02/07/28				70,000,000	21,193,000	0.30%	48,259,000
06/03/14	05/31/25				200,000,000	35,155,000	0.49%	165,579,000
11/08/02	11/08/12	3rd YR	LP	11/08/15	30,000,000	821,000	0.01%	0
06/15/05	06/15/15				50,000,000	39,078,000	0.55%	0
02/28/07	02/28/17				65,000,000	56,875,000	0.80%	0
06/28/10	06/28/20				50,000,000	51,181,000	0.72%	3,978,000
02/15/04	02/15/14				15,000,000	-	0.00%	0
06/14/04	01/15/13	1st 2 YR	LP	1/15/2015	10,000,000	8,070,000	0.11%	0
2/29/09	12/31/17				10,000,000	9,999,000	0.14%	767,000
11/30/07	12/31/17				25,000,000	19,449,000	0.27%	0
01/31/08	01/31/16				30,000,000	40,827,000	0.57%	1,479,000
06/11/14	05/31/24				30,000,000	10,445,000	0.15%	19,384,000
Outstanding Commitments					1,030,000,000	567,970,000	7.99%	420,904,000
Total					420,904,000	988,874,000		

MARKET OPPORTUNITIES

Inception Date	Target Termination	# of Extension	Discretion by GP/LP	New Target Termination	Funding Commitment	Market Value	% of Total Asset	Outstanding Commitment
02/28/10	01/31/17				40,000,000	25,637,000	0.36%	5,163,000
09/10/15	09/10/20				75,000,000	0	0.00%	75,000,000
Outstanding Commitments					115,000,000	25,637,000	0.36%	80,163,000
Total					105,800,000			

REAL ASSET INVESTMENTS

Inception Date	Target Termination	# of Extension	Discretion by GP/LP	New Target Termination	Funding Commitment	Market Value	% of Total Asset	Outstanding Commitment
06/30/13	06/30/20				50,000,000	17,351,000	0.24%	32,750,000
11/30/13	11/30/20				75,000,000	20,244,000	0.28%	54,636,000
Outstanding Commitments					125,000,000	37,595,000	0.53%	87,386,000
Total					124,981,000			

Market value column is the latest ending quarter plus any additional capital calls after the ending quarter.
The Target Termination column is the beginning of liquidation of the fund, however, some funds may be extended for an additional two or three years.



MEMORANDUM

Date: November 4, 2015

To: CCCERA Board of Retirement

From: Gail Strohl, Chief Executive Officer
Karen Levy, General Counsel
Wrally Dutkiewicz, Compliance Officer

Subject: Consider and Take Possible Action Regarding the Collection of Pension Overpayments from the County Due to Its Erroneous Reporting of Panel Management Pay As Pensionable Compensation.

Background

Panel Management Pay (PMP) refers to the delivery of primary care services through telephone and electronic communication with patients and other members of the medical team and the coordination of patient care including specialty care delivered at multiple locations. The duties required to implement the Panel Management care model were performed outside of a physician's traditional work schedule. In 2011, the Contra Costa County Health Services Department began to compensate those physicians who performed "Panel Management" duties by paying them one (1) hour and thirty (30) minutes of on-call pay for each day worked at the straight time rate (1.0) of the physician's base rate of pay. This Panel Management Pay was paid to physicians using the existing on-call pay earnings code D32 and pension contributions were collected on the PMP amounts paid.

Pursuant to Government Code §31461(a) and (b)(3) CCCERA staff reviewed the conditions and duties under which "Panel Management" on-call pay was paid to physicians and deemed that the pay was not pensionable compensation as the payments were for additional services rendered by physicians outside of normal working hours. Upon notification of this determination the County performed the following corrective actions for its active CCCERA membership:

- Adopted Resolution No. 2013/372 on 9/24/2013 to ratify prior PMP payments and establish a designated form of pay to replace the use of the D32 on-call pay code;
- Refunded pension contributions collected on behalf of its active members who received PMP payments for the period 2011 through 2013 and issued corrected W2C for the 2011 and 2012 tax years. The 2013 contributions were refunded and then reported wages adjusted for 2013 W2 tax form reporting;

- Provided CCCERA with the County’s correction files including copies of the payment warrants issued to all affected active members who received PMP pay.

In order to assist the County in correcting its error in reporting PMP under earn code D32, it was deemed necessary for CCCERA to refund the interest that had accrued on the contributions collected on the PMP payments to active membership. Staff prepared an analysis and calculated the appropriate interest refund amounts for each member. The refund disbursements to PMP payment recipients were completed by October 2014.

Pension Overpayments Attributed to the Inclusion of PMP in FAS

During the review of the data that had been provided by the County there were five (5) retired members that were identified that had received PMP payments coded as D32 during their service which, at the time of their retirement, had been included in their final average salary (FAS) for pension calculation purposes.

Staff reviewed each of the five (5) pension calculations to determine what each retiree’s adjusted prospective pension would be with the exclusion of the PMP payments in FAS and, to what extent an overpayment had been made. Once these calculations had been finalized there were four (4) retirees identified as having overpayments. Each of the retirees were notified via letters dated August 7th, 2015.

The following pension overpayments, net of contributions plus interest, were calculated as having been paid to the retirees:

\$ 35,821.66
29,969.58
27,763.22
16,495.73
\$ 110,050.19

Recommendation

With respect to the overpayments paid to retirees that were attributed to the erroneous coding of Panel Management Pay as a pensionable compensation item by the County, it is recommended that the Board directs staff to seek from the County the amount of \$110,050.19 representing the amount of overpayment paid to four retirees and that staff is directed to return with an update about the resolution of this issue vis-à-vis the County. This would be consistent with Internal Revenue Service correction programs which provide that an appropriate correction method may include having the employer contribute the amount of overpayment with appropriate interest to the plan in lieu of seeking recoupment from plan participants and beneficiaries. Rev. Proc. 2015-27, Sec. 3.02(3). Compliance with IRS corrections provisions would protect the tax-qualified status of the plan.

BROWN ACT FUNDAMENTALS

Presented by:

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Ralph M. Brown Act

Open Meetings Laws For Local Legislative Bodies

- The Brown Act sets forth the rules regarding open meetings held by local legislative bodies
- The CCCERA Board of Retirement is subject to the Brown Act



Purpose of the Brown Act

- To ensure that public agency *actions* are taken openly
- To ensure that public agency *deliberations* are done openly



Key Concepts

- Retirement Board meetings must be open and accessible to the public
- A Board meeting agenda must be posted publicly
- During Board meetings, the public must be given an opportunity to comment

Retirement Board meetings must be open and accessible to the public

- “Meeting” means any congregation of a majority of the Retirement Board (i.e. five Retirement Board members) at the same place and location (including teleconference locations) to hear, discuss, deliberate or take action on any item within the Retirement Board’s subject matter jurisdiction



Serial Meetings

- “Meeting” also means any serial use of communication, personal intermediaries, or technological devices through which a majority of the Board’s members discuss, deliberate, or take action on an item
- For example, an unlawful “serial” meeting would occur if Board member A e-mails Board member B about his or her position on a Retirement Board issue. B forwards A’s e-mail to C, who then forwards to D, who then forwards to E. A mere series of e-mails or phone calls by a majority of the Board about one of its business items violates the Brown Act

Retirement Board Members Attendance At Conferences

- A majority of the Retirement Board members may attend a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to other public pension systems, so long as the majority of the board do not discuss among themselves business that is within the subject matter jurisdiction of the Retirement Board
- Examples of such conferences include the State Association of County Retirement Systems (SACRS) and the California Association of Public Retirement Systems (CALAPRS) conferences



Attendance at Purely Social Events

- A majority of the Retirement Board members may attend a purely social or ceremonial occasion, provided that the majority of the Retirement Board members do not discuss among themselves business that is within the subject matter of the retirement board



Agenda Requirement

- At least 72 hours before a regular meeting of the Retirement Board, an agenda containing a general description of each item of business to be transacted, including items to be discussed, and the time and location of the meeting must be posted in a public location and the CCCERA Internet Web site



Agenda Requirement

- If an item is not included on the agenda, the Retirement Board may not act on or discuss that item, or add that item to the meeting's agenda as an urgency item, subject to limited exceptions
- As to items that are not included on the agenda, Retirement Board members and staff may ask a question for clarification, make a brief announcement, or make a brief report. Retirement Board members may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda



Public Comment

- During each meeting, the Retirement Board must allow public comment on each agenda item and on other matters within the jurisdiction of the Board



Closed Session

- The Brown Act authorizes the Retirement Board to hold closed sessions to discuss or take action on items under certain enumerated circumstances
- Examples:
 - The Retirement Board may meet in closed session to deliberate or take action on the purchase or sale of a particular, specific pension fund investment (Govt. Code § 54956.81)
 - The Retirement Board may meet in closed session on personnel matters (Govt. Code §54957)
 - The Retirement Board may meet in closed session with CCCERA's designated representatives regarding employees' salaries, benefits but cannot take final action in closed session (Govt. Code §54957.6)
 - The Retirement Board may meet in closed session to confer with legal counsel regarding pending litigation that has been formally initiated, exposure to litigation against the retirement system or the board, and to decide whether to initiate litigation (Govt. Code §54956.9)
- Confidentiality of Closed Sessions: Board members may not disclose confidential information acquired by being present in a closed session to a person not entitled to receive the information (Govt. Code §54963(a))

Consequence of Violating the Brown Act

- Criminal liability for individual Board members
- Civil remedies: civil actions to stop, prevent or invalidate of the action of the Board
- Attorneys fees and costs awarded to plaintiff

Consequence of Violating the Brown Act

- Individual criminal liability:

Each Retirement Board member who attends a Retirement Board meeting where action is taken in violation of any provisions of the Brown Act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the Brown Act, is guilty of a misdemeanor.

Consequence of Violating the Brown Act

- Civil remedies: Any person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of the Brown Act.

Consequence of Violating the Brown Act

- Civil remedies: Any person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency is null and void.
- Prior to commencing the action, the person must make a demand of the Board to cure or correct the action

Consequence of Violating the Brown Act

- A court may award attorney fees and costs to the prevailing plaintiff
- A court may award attorney fees and cost to a defendant public agency if the court finds that the action against the agency for alleged Brown Act violation was frivolous and lacking in merit.



Questions?