



**STANISLAUS COUNTY  
EMPLOYEES' RETIREMENT ASSOCIATION**  
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## PLEASE POST FOR EMPLOYEE VIEWING

### BOARD OF RETIREMENT MINUTES

September 11, 2013

**Members Present:** Gordon Ford, Maria De Anda, Donna Riley, Jeff Grover, Mike Lynch, Darin Gharat, Jim DeMartini and Michael O'Neal

**Members Absent:** None

**Alternate Member** Joan Clendenin, Alternate Retiree Representative

**Staff Present:** Rick Santos, Executive Director  
Kellie Gomes, Executive Board Secretary  
Kathy Herman, Operations Manager  
Dawn Lea, Benefits Manager

**Others Present:** Fred Silva, General Legal Counsel  
Doris Foster, County Chief Executive Office  
Stan Risen, County Chief Executive Office

1. Meeting Called to Order

Meeting called to order at 2:02p.m. by Darin Gharat, Chair.

2. Roll Call

3. Announcements

Kathy Herman announced that all 4 major Banks have responded to StanCERA's RFP for StanCERA custodial services.

Trustee DeMartini announced that the Board of Supervisor's appointed Jason Gordo to the StanCERA Board.

Kellie Gomes announced that item 5.b. was pulled from the consent calendar to reflect the effective date of retirement. Item 5.b. will be put on the consent calendar at the September 24, 2013 investment meeting, and the delay will not affect receipt of payment by any new retirees.

4. Public Comment

None

5. Consent Items

Motion was made by Maria De Anda and seconded by Donna Riley to approve the following Items with the exception to 5.b. which will be presented at the next meeting on 9/24/13:

Motion carried

- a. Approval of the August 27, 2013 Investment Meeting Minutes [View](#)

5. Consent Items (Cont.)

- b. Approval of Service Retirement(s) – **Sections 31499.14, 31670, 31662.2 & 31810**

1. Janet Abe-Morimoto, BHRS Effective 10-01-2013
2. Lois Aldrete, HSA, Effective 11-01-2013
3. Juan Alonzo, HSA, Effective 11-01-2013
4. Timothy Beck, Sheriff, Effective 11-01-2013
5. Sheryll Biondolillo, Sheriff, Effective 10-01-2013
6. Renee Cartier, HSA, Effective 10-01-2013
7. Sharon Cope, Superior Courts Effective 11-01-2013
8. Karen Hurley, BHRS, Effective 10-01-2013
9. James Johnson, BHRS, Effective 11-01-2013
10. John Kitchell, HSA, Effective 12-02-2013
11. Donna Leavers, Treasurer/Tax Collector, Effective 11-01-2013
12. Cynthia Mcleland, City Of Ceres, Effective 12-01-2013
13. Marjorie Munoz, CSA, Effective 11-01-2013
14. Lorrinda Parker, District Attorney Effective 10-01-2013
15. Elizabeth Pereira, Sheriff, Effective 11-01-2013
16. Margaret Reid, Library, Effective 12-02-2013
17. Beth Schlemon, Probation, Effective 11-01-2013

Correction to Barbara Pearce-Chiesa, BHRS, Effective 08-16-2013 presented on 8/14/13  
Agenda Effective date should be 8-17-2013.

- c. Approval of Deferred Retirement(s) – **Section 31700**

1. Juan Aguilar, CSA, Effective 08-22-2013
2. Gary Brown, GSA, Effective 08-10-2013
3. Christina Cosetta, BHRS, Effective 05-18-2013
4. Desiree Cotter, CSA, Effective 05-11-2013
5. Shawn Lominario, HFCD, Effective 08-09-2013
6. Monica Nino, CEO, Effective 08-17-2013

6. Executive Director

- a. Discussion and Action on the State Association of County Retirement Systems;(SACRS) November 12-15, 2013 Fall Conference Voting Proxy Form- Kellie Gomes

Motion was made by Michael O'Neal and seconded by Mike Lynch to appoint Trustee Gharat as voting delegate with Trustee DeAnda as alternate voting delegate.

Motion Carried

- b. Discussion and Action Regarding StanCERA Independence

Motion was made by Mike Lynch and Seconded by Michael O'Neal for the Board of Retirement to attain governance over classifications and salaries for the Executive Director position and future Investment positions by revising the by-laws to include the specific positions and level of governance desired and to continue working with the County regarding position control over the Benefits and Operations position.

Motion Carried

8. Members' Forum (Information and Future Agenda Requests Only) **Heard Out Of Order**

Members Forum was heard out of order to accommodate Trustee Clendenin needing to recuse herself during closed session.

Trustee Gharat announced that he will not be running again for another term on the Retirement Board at the end of his term on 12/31/2013. Trustee Gharat will notify the Safety Bargaining Unit of his decision.

7. Closed Session **Heard Out Of Order**

Motion was made by Maria De Anda and seconded by Donna Riley to move in to closed session at 2:50.

Motion was made by Maria De Anda and seconded by Donna Riley to move out of closed session at 2:55.

Report out of closed session items 7.a and 7.b. are below. There is nothing else to report from closed session.

- a. Discussion and Action on the Application for a Service-Connected and Non-Service Connected Disability Retirement by StanCERA Deferred Member Raymond Byers

Motion was made by Darin Gharat and seconded by Maria De Anda to approved staff's recommendation to set for hearing the disability application for Raymond Byers.

Motion carried.



Trustee Joan Clendenin recused herself prior to the reading of 7.b. at 2:53.

7. Closed Session (Cont.) **Heard Out Of Order**

- b. Discussion and Action on the Hearing Officer's Recommendations on Aaron Gallagher's application for a Service-Connected Disability Retirement

Motion was made by Maria De Anda and seconded by Michael O'Neal to adopt the hearings officer's findings and approve staff's recommendation to deny the disability application for Aaron Gallagher. Motion carried.

- c. Conference with Legal Counsel – Pending Litigation – One Case:  
Stanislaus County Employees' Retirement Association v. Buck Consultants, LLC,  
Mediation Pursuant to Evidence Code Sections 1115, 1119, 1152  
Government Code Section 54956.9(d)(4)
- d. Conference with Legal Counsel – Pending Litigation – One Case:  
O'Neal et al v. Stanislaus County Employees' Retirement Association  
Stanislaus County Superior Court Case No. 648469  
Government Code Section 54956.9(d)(1)
- e. Conference with Legal Counsel – Pending Litigation – One Case:  
Nasrawi et al v. Buck Consultants, LLC, et.al, Santa Clara County  
Superior Court Case No. 1-11-CV202224; Court of Appeal, Sixth Appellate  
District, Case No. H038894  
Government Code Section 54956.9(d)(1)

9. Adjournment

Meeting adjourned at 2:57 p.m

Respectfully submitted,



Rick Santos, Executive Director

APPROVED AS TO FORM:  
FRED A. SILVA, GENERAL LEGAL COUNSEL

By:   
Fred A. Silva, General Legal Counsel