

**CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

Page 1

March 7, 2007

The Board of Retirement met in regular session at 9:00 a.m. on Wednesday, March 7, 2007, in the Conference Room of the Contra Costa County Employees' Retirement Association, 1355 Willow Way, Suite 221, Concord, CA.

Present: Richard Cabral, Dave Gaynor, Brian Hast, Paul Katz, Russell V. Watts for William J. Pollacek, Jim Remick, Bob Rey, Jerry Telles, Maria Theresa Viramontes and Clifton Wedington.

Staff: Marilyn Leedom, Retirement Chief Executive Officer; Cary Hally, Retirement Chief Investment Officer; Rick Koehler, Retirement Accounting Manager; Kathy Somsen, Retirement Benefits Manager; Toni Warren, Retirement Administration Manager.

Outside Professional Support: Representing:  
Ashley Dunning Steefel, Levitt and Weiss

Other Attendees:

Luz Casas	Contra Costa County Employees' Retirement Association (CCCERA) Staff
Joelle Luhn	CCCERA Staff
Margie Breen	CCCERA Staff
Mary Lou Williams	Retirees' Association
Ed Irwin	Retirees' Support Group
Sue Harryman	Self

**1. Public Comment**

No members of the public offered comment.

**2. Routine Items**

It was M/S/C to approve the routine items of the March 7, 2007 meeting. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes Watts and Wedington)

Katz recused himself from the first item in closed session.

The Board moved into closed session pursuant to Govt. Code Section 54956.9(b) to discuss potential litigation (2 items).

The Board moved into open session.

**3. Potential Litigation**

The Board received two letters relating to the first matter considered in closed session. Those letters will be made part of the administrative record of this matter. In response to those letters, it was M/S/C, by a vote of 8 - 0, to toll the statute of limitations as to John Gragnani's claim until May 18, 2007. (Yes: Cabral, Gaynor, Hast, Rey, Telles, Viramontes Watts, and Wedington)

No reportable action taken on the second closed session item.

**4. Sue Harryman**

Ms. Harryman reviewed her work history with the County, including a permanent hire date of March 1, 1973 after working as a temporary from December of 1972. She stated she met with a Retirement Counselor regarding buying her temporary time and was told she would be eligible to cease paying retirement contributions when she had 30 years of service. She made a post tax lump sum payment rather than payroll deductions in the belief she would reach 30 years and her contributions would discontinue.

There was a motion to grant Ms. Harryman's appeal. It was the consensus of the Board that Ms. Harryman relied to her detriment on advice received regarding the purchase of temporary time. Discussion continued regarding the Board's authority on this matter.

After amending the motion to include pursuant to a settlement agreement being reached, it was M/S/C to grant Ms. Harryman's appeal for the non-deduction of contributions under Government Code Section 31625.2. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes and Wedington)

**5. Cash Flow 2006**

Koehler reviewed the Cash Flow 2006 report and explained various line items in the report. It was M/S/C to accept the Cash Flow 2006 report. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes, Watts, and Wedington)

**6. Professional Consultant Evaluation Policy**

Leedom reviewed the draft for the Professional Consultant Evaluation Policy. After discussion on actuarial and financial audits and their frequency, it was M/S/C to accept the Professional Consultant Evaluation Policy. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes, Watts and Wedington)

**7. Board Meeting Calendar**

It was M/S/C to change the date of the May 23, 2007 Board Meeting to May 30, 2007. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes Watts and Wedington)

**8. Conference Seminar Attendance**

- (a) It was M/S/C to authorize the attendance of all appropriate Board, staff and outside professionals at the Spring Conference, SACRS, May 8 - 11, 2007, Santa Clara, CA. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes, Watts and Wedington)
- (b) It was M/S/C to authorize the attendance of Remick at the Certificate of Achievement in Public Plan Policy, International Foundation of Employee Benefit Plans, June 19 - 20, 2007, Chicago, IL. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes Watts and Wedington)

*CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION*

Page 3

March 7, 2007

**9. Miscellaneous**

- (a) Staff Report - Leedom reported that Moraga/Orinda Fire Protection has requested an actuarial study to determine a termination cost for withdrawal.
- (b) Outside Professionals' Report - Dunning noted she has no formal report but will be moderating a session on Monday at the CALAPRS General Assembly with a City of San Diego Trustee and their new counsel.
- (c) Trustees' Comments - Viramontes noted she has completed her application for re-appointment to the Board.

Cabral thanked the board for their vote in granting Sue Harryman's appeal.

It was M/S/C to adjourn. (Yes: Cabral, Gaynor, Hast, Katz, Rey, Telles, Viramontes, Watts and Wedington)

---

Clifton Wedington, Chairman

---

William J. Pollacek, Secretary