



**MINUTES  
BOARD OF RETIREMENT  
July 7, 2011  
BOARD ROOM  
348 WEST HOSPITALITY LANE, FIRST FLOOR  
SAN BERNARDINO, CA**

Trustees Present:

ELLEN WEISSER, Appointed Member (Chairman)  
DAWN STAFFORD, Retired Member (Vice Chairman)  
BRENDAN BRANDT, Appointed Member  
LOUIS FIORINO, General Member  
DONALD NEELY, General Member  
JANICE RUTHERFORD, Appointed Member  
LARRY WALKER, Treasurer  
NEAL WANER, Appointed Member  
DAVID WILLIAMS, Safety Member  
HARRY HATCH, Alternate Retired Member  
BRET HENRY, Alternate Safety Member

Others Present:

NORM RUGGLES, Chief Executive Officer  
ANDREW KJELDGAARD, Counsel  
DONALD PIERCE, Interim Chief Investment Officer  
CHRISTIE PORTER, Chief Member Services  
JULIE UNDERWOOD, Chief Fiscal Services  
CAROL FENN, Recorder

1. Call meeting to order.

Chairman Weisser called the meeting to order at 9:00 a.m. She introduced SBCERA's new Chief Executive Officer, Norm Ruggles. She also recognized and thanked Larry Walker for the time he served as Managing Trustee.

**CONSENT:**

Waner moved, Neely seconded, to Approve the Consent Calendar.  
Abstain: Rutherford  
Motion Passed.

2. Approve minutes of regular meeting of June 2, 2011.

3. Service Retirements:		Effective Date
Abernathie, William	Sheriff	6/30/2011
Alvarez, Beverly	Human Services	6/18/2011
Arrigo, Maureen J	Superior Court (Def)	8/01/2011
Avitabile, Sherryl K	District Attorney (Def)	8/03/2011
Bhatt, Chandrashekhar S	SCAQMD	8/06/2011
Carey, Dena	Human Services (Def)	7/23/2011
Carleton, Tracy	County Fire	7/30/2011
Carney, Mary Ann	Sheriff	7/01/2011
Carr, Daniel	Human Services (Def)	7/03/2011
Carson, Robert	SCAQMD	7/22/2011
Coats, Kathleen M	Human Services	7/16/2011
Copple, Royal W	Human Services	7/02/2011
Cote-Harbor, Sylvia Ann	Sheriff	6/30/2011
Daetwiler, Renee	Environmental Health (Def)	6/30/2011
Daudel, Donald	Sheriff	7/30/2011
Davenport, Sharon E	Children's Services	7/30/2011
Davis, Jenny	Public Health	6/04/2011
Eicher, William D	Probation	7/02/2011
Engle, Jeffrey	Public Works (Def)	6/23/2011
Felts, Stephen R	Marshal (Def)	6/04/2011
Franey, Mark K	Barstow Fire Dept. (Def)	7/10/2011
Garcia, Adam C	ARMC	6/04/2011
Garl, Steven	Public Works	7/16/2011
Garrison, David	Sheriff	6/30/2011
Georg, Gail A	SCAQMD	7/23/2011
Green, Beverly	Children & Family Services	7/16/2011
Jewett, Larry	Public Works	7/02/2011
Lucht, Eileen C	Human Services (Def)	8/01/2011
Mathur, Vijay	Public Works	7/30/2011
Mazza, Robert H	Sheriff (Def)	6/07/2011
McGinnis, Theresa	Human Services	7/30/2011
McIntosh, Georgianna	Auditor-Controller/Treas/Tax Coll	7/02/2011
Morales, Ana Maria	Public Health	6/18/2011
Moyer, Jo Ann	Probation	7/02/2011
Petersen, Darol K	County Fire	7/16/2011
Phillips, Carol L	Probation	7/02/2011
Quintana, Frances	Children & Family Services	7/30/2011
Ramos, Holly	ARMC	6/18/2011
Richards, Patricia	San Bernardino Courts (Def)	7/01/2011
Rigney, Michael O	County Fire	7/02/2011
Rossi, Gary J	Sheriff	7/30/2011
Ruffino, Edward	SCAQMD	6/11/2011
Sams, Edna L	Sheriff	7/02/2011
Schuff, Kandi	JESD/HSS (Def)	5/27/2011
Sellers, Lawrence H	Probation	7/02/2011
Tanishita, Rosaline	Behavioral Health	6/18/2011

Tidd, Katherine	Sheriff	7/02/2011
Valles, Henry	Public Health	7/02/2011
Von Schlichting, Robert	Public Defender	7/16/2011
Watts, Peggy	Child Protective Services (Def)	6/29/2011
Wharton, Michelle	Superior Court (Def)	7/21/2011
Williams, Michele D	Probation	6/18/2011
Williams-Worley, Lois G	Sheriff	7/30/2011
Wilson, Harold	District Attorney (Def)	7/18/2011

4. Disability Applications - Initial Decision:

a. Devita, Michael

1. Mr. Devita is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Devita's disability is Nonservice-Connected based on bi-hemispheric stroke.
3. Mr. Devita is not capable of gainful employment.
4. No medical review is necessary as specified by the medical advisor.
5. Staff shall initiate disability benefit payments with an effective date of May 21, 2011, the day after the last date compensated.

b. Genty, Steven

1. Mr. Genty is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Genty's disability is Service-Connected based on degenerative disc disease of the cervical and lumbar spine.
3. No medical review is necessary as specified by the medical advisor.
4. Staff shall initiate disability benefit payments with an effective date of July 14, 2010, the date of application.

c. Simon, Walter M.

1. Mr. Simon is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Simon's disability is Service-Connected based on cumulative trauma to the lumbar spine.
3. No medical review is necessary as specified by the medical advisor.
4. Staff shall initiate disability benefit payments with an effective date of January 1, 2011, the day after the last date compensated.

d. Wiebeld, James F.

1. Mr. Wiebeld is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Wiebeld's disability is Service-Connected based on hypertension and hypertensive heart disease.
3. No medical review is necessary as specified by the medical advisor.

4. Staff shall initiate disability benefit payments with an effective date of July 9, 2011, the day after the last date compensated.

e. Stater, Carollee

1. Ms. Stater is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Ms. Stater's disability is Nonservice-Connected based on Stage IV non-small cell lung cancer, hypertension and chronic fatigue.
3. Ms. Stater is not capable of gainful employment.
4. No medical review is necessary.
5. Staff shall initiate disability benefit payments with an effective date of November 22, 2010, the date of application.

f. Jennings, William B.

1. Mr. Jennings is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Jennings' disability is Service-Connected based on lumbar degenerative disc and joint disease.
3. No medical review is necessary as specified by medical advisor.
4. Staff shall initiate disability benefit payments with an effective date of March 26, 2011, the day after the last date compensated.

**CLOSED SESSION:**

5. Initial Decision:

a. Garcia, Adam C.

Stafford moved, Brandt seconded, to Approve Staff Recommendation that:

1. Mr. Garcia is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Mr. Garcia's disability is Service-Connected based on bilateral knee degenerative joint disease and knee replacements.
3. Mr. Garcia is capable of gainful employment.
4. No medical review is necessary.
5. Staff shall initiate disability benefit payments with an effective date of June 4, 2011, the day after the last date compensated, provided benefit is requested in writing.

Motion Passed.

## b. Landin, Delores

Williams moved, Stafford seconded, to Approve Staff Recommendation that:

1. Ms. Landin is permanently incapacitated for the performance of duties and disability retirement be granted.
2. Ms. Landin's disability is Nonservice-Connected based on Type II diabetes with peripheral neuropathy, diabetic foot ulcers, degenerative arthritis, anxiety and depression.
3. Ms. Landin is not capable of gainful employment.
4. No medical review is necessary as specified by the medical advisor.
5. Staff shall initiate disability benefit payments with an effective date of August 19, 2010, the date of application provided benefit is requested in writing.

Against: Neely

Motion Passed.

## c. Miramontez, Evelyn M.

Stafford moved, Rutherford seconded, to Continue to the September Board meeting.

Absent: Walker

Motion Passed.

## 6. Reconsideration:

## a. Dean, Mary J.

Stafford moved, Brandt seconded, to Continue to the August Board meeting.

Absent: Walker

Motion Passed.

Rutherford left the meeting at 11:30 a.m.

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Government Code Section 54956.8:**

7. Property: Alara Cool Springs Apartments, 101 Gillespie Drive, Franklin, Tennessee  
Agency Negotiator: The Townsend Group  
Negotiating Parties: American Realty and San Bernardino County Employees' Retirement Association  
Under Negotiation: Price

**CONFERENCE WITH LEGAL COUNSEL - Existing Litigation - Government Code Section 54956.9(a):**

8. The Press Enterprise Company v. SBCERA.
9. San Bernardino County Public Attorney's Association v. SBCERA.

**OPEN SESSION:**

Kjeldgaard announced that the following occurred in Closed Session:

Item #7 - The Board voted 7 to 2 to decline to sell the Alara Cool Springs Property and refer the matter to the Investment Committee.

Item #8 - The Board voted unanimously to comply with the court decision to release the information requested by the Press Enterprise this afternoon.

Chairman Weisser announced that Investment Officer Brian Long has submitted his resignation, and thanked him for his service to SBCERA.

10. Presentation by The Townsend Group on the Real Estate Performance Measurement Report for the First Quarter ending March 31, 2011, and their Market Overview.

Micolyn Magee, The Townsend Group, presented.

11. Presentation by The Townsend Group on the IMA Budgets for Fiscal Year 2011/2012.

Micolyn Magee, The Townsend Group, presented.

12. Approve the 2012 fiscal year budgets for the total portfolio managed by American Realty Advisors.

Walker moved, Neely seconded, to Approve the 2012 fiscal year budgets for the total portfolio managed by American Realty Advisors.

Absent: Rutherford

Motion Passed.

13. Portfolio Review by Pathway.

James Reinhardt, James Chambliss and Derrek Ransford, Pathway, presented.

14. Review, discuss and approve the acceptance of the Department of Water & Power of the City of Big Bear Lake as a participating employer with the San Bernardino County Employees' Retirement Association.

Underwood reviewed.

Walker moved, Neely seconded, to Approve the acceptance of the Department of Water & Power of the City of Big Bear Lake as a participating employer with the San Bernardino County Employees' Retirement Association.

Motion Passed.

15. Chairman's appointment of a member to the Administrative Committee.

Chairman Weisser replaced Waner with Brandt as a Committee member on the Administrative Committee.

16. Audit Committee Report.

- a. Report of the meeting conducted June 8, 2011.

Audit Committee Chair Waner reported.

17. Report by the Trustees concerning conferences attended (as specified by the Trustee Education/Training Policy).

Walker reported on his attendance at the investment program at Wharton and a due diligence visit to SBCERA's apartments in Austin, TX. Neely reported on his attendance at the IMN awards ceremony and conference. Fiorino reported on his attendance at the investment program at Wharton.

18. Staff Reports:

Weisser announced her resignation from the Board effective July 31, 2011. Walker presented her with a resolution and thanked her for her 24 years of dedication to SBCERA. All Board and staff members thanked her by giving her a standing ovation.

- a. Managing Trustee's Report

Walker reported.

- b. Review California Retirement Legislation for 2011-2012

Kjeldgaard reported.

- c. Investment Performance Report.

Pierce reported.

### **PUBLIC COMMENT**

No public comment was provided.

**ADJOURN**

The meeting adjourned at 1:02 p.m.

Respectfully submitted,

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DAWN STAFFORD, Chairman

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NORMAN L. RUGGLES, Secretary

DATED \_\_\_\_\_